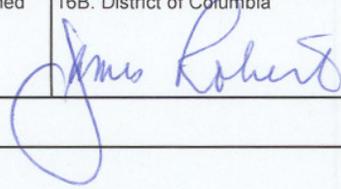


AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. Contract Number	Page of Pages 1 7	
2. Amendment/Modification Number DCKT-2008-0160-0002		3. Effective Date 1/6/2009	4. Requisition/Purchase Request No.	5. Solicitation Caption Hauling and Disposal of Solid Waste	
6. Issued By: Office of Contracting and Procurement Transportation and Specialty Equipment Commodity Group 2000 14th Street, NW, 3rd Floor Washington, DC 20009			7. Administered By (If other than line 6)		
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code)			(X)	9A. Amendment of Solicitation No. DCKT-2008-B-0160	
				9B. Dated (See Item 11) 12/2/2008	
				10A. Modification of Contract/Order No.	
				10B. Dated (See Item 13)	
Code	Facility				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> 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 <u>1</u> copies of the amendment: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT 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 letter or fax, provided each letter or telegram 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 APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to: (Specify Authority) <u>27 DCMR Section 3601, Par. 19, Changes, Standard Contract Provisions</u>					
The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2.					
C. This supplemental agreement is entered into pursuant to authority of:					
D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.					
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)					
1) Clarifications to eleven (11) questions are provided. 2) Delete page 4 in the solicitation Insert page 4R included in this amendment 2) Delete pages 31 through 33 in the solicitation Insert pages 31R through 33R included in this amendment					
Except as provided herein, all terms and conditions of the document referenced in Item (9A or 10A) remain unchanged and in full force and effect					
15A. Name and Title of Signer (Type or print)			16A. Name of Contracting Officer James Roberts		
15B. Name of Contractor		15C. Date Signed	16B. District of Columbia		16C. Date Signed
(Signature of person authorized to sign)					<u>1/6/09</u>
			(Signature of Contracting Officer)		

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HAULING AND DISPOSAL OF SOLID WASTE
AMENDMENT 2: DCKT-2008-0160-0002

Question 1: What are the current rates/charges for this work?

Response: Information has to be requested from Office of Contracting and Procurement via a Freedom of Information Act (FOIA) request.

Question 2: Is there a pre-bid conference scheduled?

Response: No pre-bid conference scheduled at this time.

Question 3a: On page 48 section M.1.3 Maximum Preference Award, the last sentence reads "there will be no preference awarded for subcontracting by the prime contractor with certified business enterprises". Does this mean if we are not a local business, disadvantaged business resident owned business, small business, longtime resident business or local business with the principal offices located in an enterprise zone we would not receive any preference by subcontracting some of the work to one of the above businesses?

Response: Yes.

Question 3b: If a non-certified company were to function as a sub-contractor to a certified prime contractor would the preferences apply?

Response: Preferences will apply as enumerated in Section M of the solicitation.

Question 4: The bid states the composting facility is less than 125 miles round trip from Washington, DC. Could you please give us the address (es) so that we can give DPW a more accurate bid response?

Response: We are soliciting for the contract now. Assume for bid purposes that it is a 70-mile round trip.

Question 5: Will the contractor assist with loading non-combustible material?

Response: Section C.2.1 states the District will load the waste onto the contractor's vehicles.

Question 6: How do you intend for us to calculate the five year multiyear base period price? Will you evaluate bids based on the one year price, the one year price multiplied by five, or do you want us to calculate and supply a five year price with any price escalations included?

Response: Please refer to **Page 4R**.

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Question 7: Paragraph C.2.3 – Currently, disposal facilities will not accept tires this way. Can you provide us with a disposal facility that will allow us to dispose of tires comingled with combustibile and non-combustibile waste?

Response: Section C.2.3 will remain unchanged.

Question 8: Paragraph I.13 Fuel Adjustment formula:
For disposal sites greater than 75 miles round trip, why are the tons per load 24.5 and the miles per gallon 5.25? What source are you using to substantiate these metrics for hauling solid waste?

Response: For loads greater than 75 miles, the tons per load were taken directly from the District's scale system over several years for loads directed to a landfill. The miles per gallon were gleaned from various industry sources.

Question 9: Please explain what is required under F.5 chart shown.

Response: Contractor's to submit required monthly management reports as stated in Section F.5.

Question 10: Is it a requirement for the prime contractor to own all trucks, trailers, and equipment required? Are subcontractors not to be utilized for this bid?

Response: Please refer to Section M of the solicitation for this information.

Question 11: Why is there no provision for a CPI increase for years two through five?

Response: Price adjustments as enumerated in Section I.13, apply for years one (1) through five (5).

B.5 PRICE SCHEDULE (Continued)

TOTAL EXTENDED PRICE PER YEAR: \$ _____
(Sum of the Extended Prices for CLINs 0001 through CLINs 0005)

**TOTAL EXTENDED PRICE FOR THE FIVE YEAR
MULTIYEAR BASE PERIOD (TOTAL EXTENDED PRICE PER
YEAR X 5): \$** _____

procurement of the type of acquisition covered by the contract, and not otherwise obligated; or funds appropriated for those payments.

I.13 ECONOMIC PRICE ADJUSTMENT (For Hauling Cost Only)

The hauling cost that is submitted by the bidder in response to the Invitation for Bids includes the total costs associated with transporting solid waste from the District's transfer stations to the final disposal sites. For the purpose of pricing Hauling Services, the Contractor shall assume the per gallon cost of ultra low sulfur No. 2 diesel fuel (FUEL) is the price on the Monday prior to the submission of Bids as reported by the U.S. Department of Energy, Energy Information Administration for the Central Atlantic (PADD1B) in cents per gallon including taxes. The price of Hauling Services, **CLIN Nos. 0001, 0002A, 0003A, 0004A and 0005** shall be adjusted in any week when the price of FUEL is more or less than this per gallon price. The per ton adjustment will be based upon the following formula:

FUEL ADJUSTMENT FORMULA:

- Sum the Round trip miles between Fort Totten and Benning Road and the Disposal Site and divide by two (2) to get the Round Trip Miles.
- Divide the Round Trip Miles by Miles Per Gallon to get the number of Gallons Per Load.
- Divide Gallons Per Load by the Tons Per Load to get Gallons Per Ton.
- Multiply the Gallons Per Ton by 1.1 to get the Per Gallon Cost Adjustment Factor with an allowance for overhead costs.
- Take the price for FUEL from the U.S. Department of Energy, Energy Information Administration for the Central Atlantic (PADD1B) in cents per gallon including taxes for the week and subtract the FUEL price on the Monday prior to the submission of Bids to get the Change in Fuel Price.
- Multiply the Change in Fuel Price by the Per Gallon Cost Adjustment Factor and round to the nearest cent to get the Weekly Per Ton Adjustment.
- The Weekly Per Ton Adjustment is added to the CLIN Unit Price Per Ton to get the Price for the week.

**FOR DISPOSAL SITES LESS THAN 75 MILES ROUND TRIP:
ASSUMPTIONS:**

Miles Per Gallon = 4.5
Tons Per Load = 22
Overhead Allowance = 10%

EXAMPLE FOR DISPOSAL SITE X:

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The Distance from Fort Totten to Land fill X is 70 miles and Benning Road is 74 miles. The FUEL price on the Monday before the submission of Bids was \$4.00 per gallon.

The FUEL price on the Monday of Week One was \$4.25; Week Two was \$4.50; Week Three was \$4.00; and Week Four was \$3.75. Bid Hauling Unit Price by Contractor was \$25 per Ton.

Round Trip Miles = 72 miles $((70+74) / 2 = 72)$

Gallons Per Load = 16.0

Gallons Per Ton = 0.7272

Cost Adjustment Factor = 0.7999

72 miles / 4.5 miles per gallon = 16 gallons / 22 tons per load = 0.7272
gallons per ton * 1.1 = 0.7999 gallons per ton

Change in FUEL Price

Week One = \$0.25 $(\$4.25 - \$4.00 = \$0.25)$

Week Two = \$0.50

Week Three = \$0.00

Week Four = $-\$0.25$

Weekly Per Ton Adjustment =

Week One: \$0.20 $(\$0.25 * 0.7999 = \$0.1999)$

Week Two: \$0.40

Week Three: \$0.00

Week Four: $-\$0.20$

Weekly Per Ton Adjusted Haul Price per ton

Week One: \$25.20 $(\$25.00 + \$0.25 = \$25.20)$

Week Two: \$25.40

Week Three: \$25.00

Week Four: \$24.80

FOR DISPOSAL SITES GREATER THAN 75 MILES:

ASSUMPTIONS:

Miles Per Gallon = 5.25

Tons Per Load = 24.5

Overhead Allowance = 10%

EXAMPLE FOR DISPOSAL SITE Y:

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The Distance from Fort Totten to Land fill Y is 310 miles and Benning Road is 314 miles. The FUEL price on the Monday before the submission of Bids was \$4.00 per gallon. The FUEL price on the Monday of Week One was \$4.25; Week Two was \$4.50; Week Three was \$4.00; and Week Four was \$3.75. Bid Hauling Unit Price by Contractor was \$38 per Ton.

Round Trip Miles = 312 miles $((310+314) / 2 = 312)$
Gallons per Load = 59.4286
Gallons per Ton = 2.4257
Cost Adjustment Factor = 2.6682

$312 \text{ miles} / 5.25 \text{ miles per gallon} = 59.4286 \text{ gallons} / 24.5 \text{ tons per load} = 2.4257 \text{ gallons per ton} * 1.1 = 2.6682$

Change in FUEL Price

Week One = \$0.25 $(\$4.25 - \$4.00 = \$0.25)$
Week Two = \$0.50
Week Three = \$0.00
Week Four = $-\$0.25$

Weekly Per Ton Adjustment =

Week One: \$0.67 $(\$0.25 * 2.6682 = \$0.667)$
Week Two: \$1.33
Week Three: \$0.00
Week Four: $-\$0.67$

Weekly per Ton Adjusted Haul Price per ton

Week One: \$38.67 $(\$38.00 + \$0.67)$
Week Two: \$39.33
Week Three: \$38.00
Week Four: \$37.33

I.14

FIRST SOURCE EMPLOYMENT AGREEMENT

The contractor shall maintain compliance with the terms and conditions of the First Source Employment Agreement executed between the District of Columbia and the contractor throughout the entire duration of the contract, including option periods, if any.