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WFL TOC 01 APR 2024 TOC0010

Do NOT combine these TOC/NTB with the SCR set when sending to Contracts.

Send TOC/NTB to Office Automation prior to sending to Contracts.

Do NOT modify page numbers in the section directly below.

**DESCRIPTION PAGE**

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**SPECIAL CONTRACT REQUIREMENTS (SCR)**

The following Special Contract Requirements amend and supplement the *Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP‑24*, U.S. Department of Transportation, Federal Highway Administration.

WFL TOC 01 APR 2024 TOC0020

Modify page numbers and titles as needed.

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Remove above blank page notice if this is an odd numbered page.

Set “Chapter” for page number. (Hidden text; DO NOT DELETE)

WFL NTB 01 APR 2024

GENERAL INFORMATION

Note 1: This LOS contains specification choices concerning various contracting methods and bidding strategies. (Examples: MATOC, Base & Option Schedule, Multiple Schedule, Full and Open, 8(a) Competitive, 8(a) Sole Source, HUBZone Small Business Set-Aside, Small Business Set-Aside, etc.)

Please coordinate with the PM to confirm the contracting method/strategy being used.

Note 2: Terminology used for various contracting methods and bidding strategies vary. [Yellow highlighted text] to be filled-in by the designer. When a choice of terminology is given, please use the following terminology below:

 - MATOC project or 8(a) Sole Source project: offer, offeror, proposal, task order

 - All other projects: Bid, Bidder, contract

Note 3: ‘[Red]’ text will be determined by WFL Contracts

## Notice to [Bidders or Offeror]

01 NOV 2024–FP24

WFL NTB 01 NOV 2024 NTB0010

Include the following with all projects.

Note 1: Choose either “BIDDERS” or “OFFEROR” *(in heading above)*

**THIS PROJECT IS BEING SOLICITED AND AWARDED UNDER FP-24.**

The FP-24 is FLH’s *Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects*. To view the FP-24 electronically go to:

<https://highways.dot.gov/federal-lands/specs>

.

##### **I. Project Location**

WFL NTB 01 APR 2024 NTB0020

Include the following with all projects.

Note: Include GPS coordinates if available, if not, delete second sentence.

**General Location.** The project work is located [INSERT DISTANCE AND DIRECTION FROM MAJOR TOWN OR CITY] in [INSERT COUNTY] County. Approximate Global Positioning System (GPS) coordinates for the beginning of the project are [INSERT COORDINATES].

WFL NTB 01 APR 2024 NTB0030

Include the following with all projects (except 8(a) Sole Source).

**Project Limits.** Signs have not been erected to identify the project limits. No Government personnel will be available for show-me tours.

WFL NTB 01 APR 2024 NTB0040

Include the following with 8(a) Sole Source projects.

Note: Contracts section will enter contact name, number, and email.

A site visit may be arranged by contacting [INSERT NAME] at 360.619.[XXXX] or [INSERT EMAIL].

##### **II. Pre-[INSERT bid OR proposal] Information.**

WFL NTB 01 APR 2024 NTB0050

Include the following with all projects.

Note: Contracts section will insert the date and the website for answers to bidders questions.

**GENERAL AND TECHNICAL QUESTIONS REGARDING PROPOSED WORK FOR THIS PROJECT WILL BE ACCEPTED UNTIL CLOSE-OF-BUSINESS ON [INSERT DATE].**

Refer to page A-5 for information on how to submit questions related to General Information and Technical Information. Answers to General and Technical Questions will be posted at [INSERT WEBSITE].

Every attempt to respond to questions will be made. However, response to questions received after the above posted date is not guaranteed.

WFL NTB 01 APR 2024 NTB0060

Include the following with MATOC projects.

Note 1: Contracts section will edit ‘[Red]’ text below.

Note 2: If selection is based on price and technical, Contracts to include selection information, or reference where found in solicitation.

**MATOC.** This solicitation is solicited under the [INSERT MATOC NAME] Multiple Award Task Order Contract (MATOC). Selection of the successful offer is based on [INSERT price OR price and technical.]

WFL NTB 01 APR 2024 NTB0065

Include the following in MATOC solicitations where award is based on price only.

**Disclosure of Price Tabulations.** After receipt of proposals, price tabulations (bid tabs) will be made publicly available and posted to sam.gov; unless the offeror submits an acceptable pricing confidentiality justification on or before the Task Order proposal due date. See Subsection 102.05.

WFL NTB 01 APR 2024 NTB0070

Include the following with A+B projects.

**A+B Bidding.** Bids for the construction of this project are being invited under one bid schedule, including the value of time in the low bid determination. Complete the A+B bids according to Subsection 102.02 and the instructions on page A-7 of the bid schedule. Award of the contract will be made according to Subsection 102.05A.

WFL NTB 01 APR 2024 NTB0080

Include the following with Base & Option Schedule projects (except 8(a) Sole Source projects).

Edit the Option letter designation(s) as required.

In these types of schedules, Options can be exercised from date of Award of the Base schedule to a specified date.

Schedules will be considered as:

* Base schedule will be considered Schedule A.
* Option schedule(s) will be considered Schedule X, Y, Z.

**Base & Option Schedules.** [INSERT Bids OR Offers] for construction of this project are being invited under a Base schedule and three Option schedules. (Option X, Option Y, and Option Z.) Complete the Base schedule and all Options according to Subsection 102.02. Award of the [INSERT contract OR task order] will be made according to Subsection 102.05A. The apparent [INSERT low bidder OR successful offeror] will be determined by the lowest bid for the combined total of the Base and Option schedules.

WFL NTB 01 APR 2024 NTB0090

Include the following with Multiple Schedule projects (except 8(a) Sole Source projects).

Edit as required if more than two schedules are used.

In these types of schedules, the government is trying to complete as much work as possible with the funds that are available at the time of Award. If bids are within the funding levels for the ‘largest’ schedule, that schedule will be awarded. If bids are greater than the funding levels, then the next size schedule will be considered ... and so on.

Schedules will generally be considered as:

* Schedule A (smallest)
* Schedule B (next largest)

**Multiple Schedules.** [INSERT Bids OR Offers] for the construction of this project are being invited under two bid schedules, designated A and B. Schedule A and Schedule B are not alternate bids. Complete both schedules according to Subsection 102.02 of the special contract requirements. Award of the [INSERT contract OR task order] will be made according to Subsection 102.05A.

WFL NTB 01 APR 2024 NTB0100

Include the following with Alternate Schedule projects (except 8(a) Sole Source projects).

Edit as required if more than two schedules are used.

In these types of schedules, award is based on the lowest bid, regardless of schedule.

Schedules will generally be considered as:

• Schedule A

• Schedule B

**Alternate Schedules.** [INSERT Bids OR Offers] for the construction of this project are being invited under one of two bid schedules, designated A and B. Schedule A and Schedule B are to be considered as alternate bids. Complete either Schedule according to Subsection 102.02 of the special contract requirements. Award of the [INSERT contract OR task order] will be made based upon the lowest [INSERT bid OR offer], regardless of bid schedule, according to Subsection 102.05A of the special contract requirements.

WFL NTB 01 APR 2024 NTB0110

Include the following with all projects.

Note: Contracts will fill-in the website where plans are located.

**Electronic Plan Sheets.** This solicitation includes electronic plan sheets available at [INSERT WEBSITE].

WFL NTB 01 APR 2024 NTB0115

Include the following with all projects that have physical data.

**Physical Data.** Physical data applicable to this project is listed in FAR Clause *52.236-4 Physical Data*.

WFL NTB 01 APR 2024 NTB0120

Include the following when work is performed on Tribal jurisdictional lands and TERO requirement applies.

Insert the following Work Description text as required:

materials be obtained from within the boundaries of the [INSERT TRIBAL JURISDICTION].

work to be performed within the boundaries of the [INSERT TRIBAL JURISDICTION].

materials be obtained and work be performed within the boundaries of the [INSERT TRIBAL JURISDICTION].

 — — — — — — — — — — — — — — — — — — — — — — —

Insert the following Subsections as required:

105.02(c) (when only materials are required from within the jurisdictional boundaries)

107.01B (when only work, and no materials are required within the jurisdictional boundaries)

105.02(c) and 107.01B (when both materials and work is required in the jurisdictional boundaries)

**TERO Requirements.** This contract [INSERT may OR will] require [INSERT WORK DESCRIPTION TEXT].

The [INSERT Bidder OR Offeror] should be familiar with the [INSERT TRIBE NAME] Tribal Employment Rights Office (TERO) requirements, and take into consideration any TERO fees that may be assessed by the [INSERT TRIBE NAME] Tribe when preparing their [INSERT bid OR offer]. See Subsection(s) [INSERT SUBSECTION #].

The Government is not subject to TERO requirements and is not a party to any agreements between the Tribe and Contractor pursuant to the TERO. The Tribe administers the TERO pursuant to its inherent sovereign powers of self-government.

[INSERT ADDITIONAL LANGUAGE AS NEEDED]

WFL NTB 01 NOV 2024 NTB0130

Include the following with HUBZone Small Business Set-Asides projects.

**HUBZone Small Business Set-Aside.** This solicitation is a total HUBZone small business set-aside. Offers are solicited only from HUBZone small business concerns; see FAR Clause *52.219-3 Notice of HUBZone Set-Aside or Sole Source Award* (clauses begin on page C-1.). Offers received from concerns that are not HUBZone small business concerns shall not be considered.

WFL NTB 01 APR 2024 NTB0140

Include the following with Small Business Set-Asides projects.

**Small Business Set-Aside.** This solicitation is a total small business set-aside. Offers are solicited only from small business concerns; see FAR Clause *52.219-6 Notice of Total Small Business Set-Aside* (clauses begin on page C-1).

WFL NTB 01 APR 2024 NTB0150

Include the following with all projects.

**Representations & Certifications.** Submit or update Representations and Certifications online at <https://www.sam.gov/SAM/> before bid submittal. For more details go to FAR Provision *52.204-8 Annual Representations and Certifications* (see page B-2.). If you have previously registered on-line and the NAICS code for this solicitation is different than the code listed in your online file, please note the amended changes on the lines provided in FAR 52.204-8.

**Requests for Information.** Requests for technical information (Plan and Division 100 – 700 Specification questions only) about this project will only be accepted in writing (see Block 9 on page A-5).

WFL NTB 01 APR 2024 NTB0160

Include the following with 8(a) Competitive projects.

**Joint Ventures.** Joint Venture Agreements are allowable on competitive 8(a) set-asides. However, the joint venture agreement must be received by SBA prior to proposal due date and approved before contract award. If you are contemplating a joint venture on this project, you must advise your assigned Business Opportunity Specialist (BOS) as soon as practicable to ensure compliance with established regulations. Any corrections and/or changes needed can be made only when your BOS has adequate time for a thorough review before the proposal due date. NO CORRECTIONS OR CHANGES ARE ALLOWED AFTER TIME OF SUBMISSION OF PROPOSAL OR BIDS.

**Limited Procurement.** Competition for this procurement is limited to eligible 8(a) firms located in a specific area; see FAR Clause 52.219-18 for details.

WFL NTB 01 NOV 2024 NTB0170

Include the following with Full and Open projects.

**Price Evaluation Factor.** This solicitation contains a Price Evaluation Factor. In accordance with 13 CFR subsection 126.613, we will apply a factor of 10% to an apparent low bid submitted by a large business when we also receive a bid from a HUBZone small business; the 10% factor does not apply to an apparent low bid submitted by a small business.

WFL NTB 01 APR 2024 NTB0180

Include the following with all projects (except 8(a) Sole Source projects).

**SF 1442, Solicitation, Offer, and Award.** Particular attention should be paid to Standard Form l442, Solicitation, Offer and Award, to assure that Blocks 14, 15, 16, 19, 20A, and 20C are completed correctly. Sign Block 20B according to the instructions in Subsection 102.02. You must submit a completed ‘Authority to Sign’ document. You must also complete the representations and certifications contained in the Contract Provisions beginning on page B-1. Failure to furnish or complete any of the above may result in your bid being considered nonresponsive and being rejected.

WFL NTB 01 APR 2024 NTB0190

Include the following with 8(a) Sole Source projects.

**SF 1442, Solicitation, Offer, and Award.** Particular attention should be paid to Standard Form l442, Solicitation, Offer and Award, to assure that Blocks 14, 15, 16, 19, 20A, 20B, and 20C are completed correctly. Block 20B must be signed according to the instructions in Subsection 102.02. You must submit a completed “Authority to Sign” document. You must also complete the representations and certifications contained in the Contract Provisions beginning on page B‑1.

WFL NTB 01 APR 2024 NTB0200

Include the following with:

 Full and Open projects, or;

 Small Business Set-Aside projects, or:

 HUBZone Small Business Set-Aside projects, or;

 8(a) Competitive projects.

**Facsimile and email bids, modifications, and withdrawals.** Facsimile and email bids are not authorized for this solicitation. Bids may be modified or withdrawn by email, if such notice is received by the time specified for receipt of bids. The Government will not be responsible for any failure attributable to the transmission or receipt of email data. See FAR Provision *52.214-5*, *Submission of Bid*s. EMAIL WFL.Contracts@dot.gov. To confirm receipt, call 360.619.7520.

WFL NTB 01 APR 2024 NTB0210

Include the following with;

 MATOC projects, or;

 8(a) Sole Source projects

**Facsimile and email offers, modifications, and withdrawals.** Facsimile and email offers are not authorized for this solicitation. Offers may be modified or withdrawn by email, if such notice is received by the time specified for receipt of offers. The Government will not be responsible for any failure attributable to the transmission or receipt of email data. See FAR Provision *52.215-1, Instructions to Offerors – Competitive Acquisition*. EMAIL WFL.Contracts@dot.gov. To confirm receipt, call 360.619.7520.

WFL NTB 01 APR 2024 NTB0220

Include the following in projects with an IGE less than $10,000,000.

**Surety Bond Guarantee Program.** Small businesses that need surety bonds can qualify for U.S. Small Business Administration (SBA) backed surety bonds. SBA assistance in locating a participating surety company or agent, and completing application forms is available online. For more information on the U.S. SBA’s Surety Bond Guarantee program, go online to <http://www.sba.gov/content/contractors> or call 1-800-U-ASK-SBA.

WFL NTB 01 APR 2024 NTB0230

Include the following with all projects.

**Fraud Alert.** Current and potential U.S. Department of Transportation (DOT) Contractors have recently been receiving fraudulent letters purporting to be issued by DOT. These fraudulent letters request that the Contractors resubmit their banking information to DOT. If you receive such a letter, please DO NOT complete the requested worksheet that is attached to the letters and DO NOT release any information. To register or update information, Contractors are required to go directly through the System for Award Management (SAM) website and never through a third party. You can access SAM at <https://www.sam.gov/SAM/> .

##### **III. Post Award Information.**

WFL NTB 01 APR 2024 NTB0240

Include the following with all projects.

**Insurance.** Insurance requirements are described in Subsection 107.05.

**Contractor Performance Evaluations.** This office posts performance evaluations in the *Contractor Performance Assessment Reporting System (CPARS);* for additional information, see<http://www.cpars.gov/index.htm>. Upon receiving an email notice of evaluation availability, you will have 14-60 days to review the evaluation online and submit comments. If you are unable to access the system, call 360.619.7520 for assistance or for a copy of the evaluation.

##### **IV. Specifications and Permits.**

WFL NTB 01 APR 2024 NTB0250

Include the following with all projects.

**Specifications.** This solicitation and subsequent contract are governed by the *Federal Acquisition Regulation (FAR),* agency supplemental regulations, and the *Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP-24*. An electronic version may be found at <https://highways.dot.gov/federal-lands/specs>.

WFL NTB 01 APR 2024 NTB0260

Include the following with all projects.

**Electronic Documentation.** Requires all documents (including but not limited to correspondence, notifications, submittals, reports, and pay notes) to be submitted in a pdf format, or an approved fixed-layout electronic format. See Subsection 104.04.

WFL Specification 01 APR 2024 NTB0270

Include in projects located on tribal lands or in Alaska native villages (projects funded by the Tribal Transportation Program (TTP) and Denali Commission), and other projects as determined by the Project Manager.

**Indian Preference.** Contractors are required to provide preference in employment opportunities under this contract to Indians. See Section 107A.

WFL NTB 01 APR 2024 NTB0280

Include the following when Brand Name or equal is specified.

Edit as required.

**Brand Name or Equal.** Section [INSERT #], [INSERT SECTION TITLE], specifies a proprietary product. See FAR Provision *52.211-6, Brand Name or Equal*, when opting to use alternate products.

Bid Item [INSERT # AND DESCRIPTION] has been identified as "Brand Name or Equal".

If your offer is based on a brand name different than that listed in the Special Contract Requirements, the proposed "equal" must be identified in the space provided on the Bid Schedule. See Subsection 102.02A.

WFL NTB 01 APR 2024 NTB0290

Include the following when specifying Permeon or Natina Brand Name or equal products

Carefully review Sections [INSERT 253, 255, 258, 261, 563 and 725 AS APPLICABLE] of the Special Contract Requirements, and account for all material lead time(s) associated with performing work under these Sections.

WFL NTB 01 APR 2024 NTB0300

Include the following when sources and sites are not identified in the contract.

Examples:

Material sources, water sources, staging areas, stockpile areas, waste area, haul roads, etc.

If necessary be specific (i.e. Material sources for Section 301 and 401 have not ……).

Edit as required.

**Material Sources.** [INSERT SOURCE OR SITE] have not been identified for this project. Secure all permits and clearances for Contractor-located sites and sources. See Subsection 105.02(c).

WFL NTB 01 APR 2024 NTB0310

Include the following in projects containing an adjustment for price fluctuations (Include Subsection 109.06A).

**Price Adjustment Clause.** A price adjustment specification for [INSERT fuel OR asphalt binder OR fuel and asphalt binder] has been included in this [INSERT contract OR task order]. See Subsection 109.06A.

WFL NTB 01 APR 2024 NTB0320

Include the following when a laboratory trailer will be made available.

**Lab Trailers.** The Government offers to make available to the Contractor a laboratory trailer with test equipment. See Subsection 154.04A, Laboratory Trailer and Testing Equipment.

WFL NTB 01 APR 2024 NTB0330

Include the following when the Contractor will be required to purchase merchantable timber.

**Merchantable Timber.** The timber purchase price established in the SCR is based on Government appraisals. However, since the actual market price for timber is subject to continuous changes in market conditions, the Government does not guarantee that the timber required to be purchased by this contract can be profitably marketed at the required purchase price. Bidders are responsible for making their own independent estimate of the market conditions for the time in which they intend to market the timber, and to make any adjustments that they deem appropriate to their bid price to account for such anticipated market conditions.

WFL NTB 01 APR 2024 NTB0340

Include the following in all projects.

**Progress Schedules.** This project includes new specifications for Prosecution and Progress and for Schedules for Construction Contracts. Carefully review Special Contract Requirements Section 108 - Prosecution and Progress, and Section 155 – Schedules for Construction Contracts.

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