

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

Page
1 of 8

2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 07/18/2007	4. REQUISITION/PURCHASE REQ. NO. See Lines	5. PROJECT NO. (If applicable)
6. ISSUED BY DOT/Maritime Administration, WR Acquisition 201 Mission Street, Suite 1800 San Francisco, CA 94105-1905		CODE 00094	7. ADMINISTERED BY (If other than Item 6) DOT/Maritime Administration, Western Region 201 Mission St Ste 1800 San Francisco, CA 94105

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code) FCI CONSTRUCTORS INC 2100 GOODYEAR RD BENICIA, CA 94510-1216	9A. AMENDMENT OF SOLICITATION NO.
	9B. DATED (SEE ITEM 11)
	(X) 10A. MODIFICATION OF CONTRACT/ORDER NO. DTMA4C07001
	(X) 10B. DATED (SEE ITEM 13) 07/18/2007

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 _____ copies of the amendment; (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)
- 07 - x303 - 9 - 07 - 72 - - 80FAC0 - 4100 - - 2523 - - 0772 - 00761 - - - \$134,183.00

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.


CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	
<input checked="" type="checkbox"/>	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 FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	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.)

- Modification issued to correct award document that was missing the following data:
 - CLIN Lines
 - Award value of \$2,234,183.00.
 - Funding value of \$2,234,183.00.
- Modification issued to incorporate:
 - Award notification letter dated July 18, 2007
 - Approved Subcontracting Plan
 - FAR 52.219-28 Post Award Small Business Program Rerepresentation JUN 2007
 - COTR Delegation Letters

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) Debra K. Velmere
15B. CONTRACTOR/OFFEROR	16B. United States of America
(Signature of person authorized to sign)	BY  (Signature of Contracting Officer)
15C. DATE SIGNED	16C. DATE SIGNED 08/01/2007

Line Item Summary	Document Number DTMA4C07001/0001	Title Parking Lot Flood Control	Page 2 of 8
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Total Funding: \$2,234,183.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
Division		Closed FYs		Cancelled Fund							

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
<i>Parking Lot Modification Construction PRSBRF07011 0001</i>						
0001	MOBILIZATION AND DEMOBILIZATION This is a New Line In accordance with CLIN 0001 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$220,000.00	\$220,000.00
0002	DEMOLITION This is a New Line In accordance with Section C Statement of Work, CLIN 0002 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$60,000.00	\$60,000.00
0003	FLOOD PROTECTION, SURFACE WATER CONTROL AND DEWATERING This is a New Line In accordance with Section C Statement of Work CLIN 0003 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$45,000.00	\$45,000.00
0004	CEMENT-BENTONITE CUTOFF WALL This is a New Line In accordance with Section C Statement of Work CLIN 0004 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	LOT	\$260,000.00	\$260,000.00
0005	FLOODWALL BOX This is a New Line In accordance with Section C Statement of Work CLIN 0005 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	LOT	\$810,000.00	\$810,000.00

Line Item Summary	Document Number DTMA4C07001/0001	Title Parking Lot Flood Control	Page 3 of 8
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Total Funding: \$2,234,183.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
Division		Closed FYs		Cancelled Fund							

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
0006	SUBDRAINS This is a New Line In accordance with Section C Statement of Work CLIN 0006 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$60,000.00	\$60,000.00
0007	STORMWATER SUMP AND WTER TREATMENT VAULT This is a New Line In accordance with Section C Statement of Work CLIN 0007 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$190,000.00	\$190,000.00
0008	FLOOR SLABS AND MISCELLANEOUS This is a New Line In accordance with Section C Statement of Work CLIN 0008 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$70,000.00	\$70,000.00
0009	ASPHALT PAVING This is a New Line In accordance with Section C Statement of Work CLIN 0009 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$189,183.00	\$189,183.00
0010	ELECTRICAL AND LIGHTING This is a New Line In accordance with Section C Statement of Work CLIN 0010 of solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$200,000.00	\$200,000.00

Line Item Summary	Document Number DTMA4C07001/0001	Title Parking Lot Flood Control	Page 4 of 8
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Total Funding: \$2,234,183.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
Division		Closed FYs		Cancelled Fund							

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
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0011	STORAGE SHEDS, GUARD SHACK, FENCING, FLAG POLE AND MISCELLANEOUS ITEMS This is a New Line In accordance with Section C Statement of Work CLIN 0011 solicitation DTMA4B07002 issued 4/25/07 and amended through Amendment 0007 dated 6/5/07.	12/28/2007	1.00	JOB	\$130,000.00	\$130,000.00
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Previous Total: \$2,100,000.00
Modification Total: \$134,183.00
Grand Total: \$2,234,183.00
(Includes Discounts)

Distribution: S WONG, M HUEY, E JOHNSON, D HANSEN, R ESTEPE, D GREGORY, J PECORARO

**Contract Level
Funding Summary**

Document Number
DTMA4C07001/0001

Title
Parking Lot Flood Control

Page
5 of 8

Funding Strip Code

- 07 - x303 - 9 - 07 - 72 - - 80FAC0 - 4100 - - 2523 - - 0772 - 00761 - - -

Change in Funded Amount

\$134,183.00

Reference Requisition: PRSBRF07011

	Document No. DTMA4C07001/0001	Document Title Parking Lot Flood Control	Page 6 of 8
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TABLE OF CONTENTS

SECTION A -- Solicitation/Contract Form	7
A.1 52.219-28 Post Award Small Business Program Rerepresentation	7

	Document No. DTMA4C07001/0001	Document Title Parking Lot Flood Control	Page 7 of 8
--	---	--	-------------

SECTION A -- SOLICITATION/CONTRACT FORM

A.1 52.219-28 POST AWARD SMALL BUSINESS PROGRAM REREPRESENTATION

52.219-28 Post-Award Small Business Program Rerepresentation.
As prescribed in 19.308(d), insert the following clause:

Post-Award Small Business Program Rerepresentation (June 2007)

(a) Definitions. As used in this clause—

Long-term contract means a contract of more than five years in duration, including options. However, the term does not include contracts that exceed five years in duration because the period of performance has been extended for a cumulative period not to exceed six months under the clause at 52.217-8, Option to Extend Services, or other appropriate authority.

Small business concern means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR part 121 and the size standard in paragraph (c) of this clause.

(b) If the Contractor represented that it was a small business concern prior to award of this contract, the Contractor shall rerepresent its size status according to paragraph (e) of this clause or, if applicable, paragraph (g) of this clause, upon the occurrence of any of the following:

(1) Within 30 days after execution of a novation agreement or within 30 days after modification of the contract to include this clause, if the novation agreement was executed prior to inclusion of this clause in the contract.

(2) Within 30 days after a merger or acquisition that does not require a novation or within 30 days after modification of the contract to include this clause, if the merger or acquisition occurred prior to inclusion of this clause in the contract.

(3) For long-term contracts—

(i) Within 60 to 120 days prior to the end of the fifth year of the contract; and

(ii) Within 60 to 120 days prior to the exercise date specified in the contract for any option thereafter.

(c) The Contractor shall rerepresent its size status in accordance with the size standard in effect at the time of this rerepresentation that corresponds to the North American Industry Classification System (NAICS) code assigned to this contract. The small business size standard corresponding to this NAICS code can be found at <http://www.sba.gov/services/contractingopportunities/sizestandardsttopics/>.

(d) The small business size standard for a Contractor providing a product which it does not manufacture itself, for a contract other than a construction or service contract, is 500 employees.

(e) Except as provided in paragraph (g) of this clause, the Contractor shall make the rerepresentation required by paragraph (b) of this clause by validating or updating all its representations in the Online Representations and Certifications Application and its data in the Central Contractor Registration, as necessary, to ensure they reflect current status. The Contractor shall notify the contracting office by e-mail, or otherwise in writing, that the data have been validated or updated, and provide the date of the validation or update.

	Document No. DTMA4C07001/0001	Document Title Parking Lot Flood Control	Page 8 of 8
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(f) If the Contractor represented that it was other than a small business concern prior to award of this contract, the Contractor may, but is not required to, take the actions required by paragraphs (e) or (g) of this clause.

(g) If the Contractor does not have representations and certifications in ORCA, or does not have a representation in ORCA for the NAICS code applicable to this contract, the Contractor is required to complete the following rerepresentation and submit it to the contracting office, along with the contract number and the date on which the rerepresentation was completed:

The Contractor represents that it is, or is not a small business concern under NAICS Code _____ assigned to contract number _____.

[Contractor to sign and date and insert authorized signer's name and title].

(End of clause)