

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE N/A		PAGE 1 of 2	
2. AMENDMENT/MODIFICATION NO.  <b>A001</b>		3. EFFECTIVE DATE  <b>12/07/2022</b>		4. REQUISITION/PURCHASE NO.  N/A		5. PROJECT NO. (If applicable) See Box 14	
6. ISSUED BY Department of Transportation Federal Highway Administration 610 East Fifth Street Vancouver WA 98661-3801				7. ADMINISTERED BY (If other than Item 6)  N/A			
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code)				<b>X</b>		9A. AMENDMENT OF SOLICITATION NO. 69056722B000021	
						9B. DATED (SEE ITEM 11) 11/09/2022	
						10A. MODIFICATION OF CONTRACT/ORDER NO. N/A	
						10B. DATED (SEE ITEM 13) N/A	
CODE: N/A		FACILITY CODE: N/A					

**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 1 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)  
N/A

**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) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. N/A
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). N/A
C	THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: N/A
D	OTHER (Specify type of modification and authority) N/A

**E. IMPORTANT: Contractor n/a is not, n/a is required to sign this document and return n/a copies to the issuing office.**

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

MT FWS CMR 61520(1), Charles M Russell Refuge Repairs

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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)		15a. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) N/A	
15B. CONTRACTOR/OFFEROR  BY _____ (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  BY <u>N/A</u> (Signature of Contracting Officer)	16C. DATE SIGNED  N/A

**REVISIONS ARE AS FOLLOWS:**

**CONTRACT CLAUSES**

Pages C-74 through C-76b. Revises FAR Clause 52.225-9, Buy American–Construction Materials (OCT 2022).

**SPECIAL CONTRACT REQUIREMENTS**

Pages F-6 through F-7, 552.11(b)(6), Precast elements. Revises requirements.

Page G-5, Subsection 717.01, Structural Steel. Revises requirements.

**ENCLOSURES**

Pages:

C-74 through C-76b

F-6 through F-7

G-5

(1) Competitively within a timeframe providing for compliance with the contract performance schedule;

(2) Meeting contract performance requirements; or

(3) At a reasonable price.

(b) Information about this requirement is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>. The list of EPA-designated items is available at <http://www.epa.gov/cpg/products.htm>.

## **52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020)**

(a) *Definitions*. As used in this clause—  
“Driving”—

(1) Means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, stop sign, or otherwise.

(2) Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

*Text messaging* means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

(b) This clause implements Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, dated October 1, 2009.

(c) The Contractor is encouraged to—

(1) Adopt and enforce policies that ban text messaging while driving—

(i) Company-owned or rented vehicles or Government-owned vehicles; or

(ii) Privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government.

(2) Conduct initiatives in a manner commensurate with the size of the business, such as—

(i) Establishment of new rules and programs or reevaluation of existing programs to prohibit text messaging while driving; and

(ii) Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

(d) *Subcontracts*. The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts that exceed the micro-purchase threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award.

## **52.225-9 Buy American—Construction Materials (~~NOV 2021~~ OCT 2022)**

(a) *Definitions*. As used in this clause—

*Commercially available off-the-shelf (COTS) item*—

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- (1) Means any item of supply (including construction material) that is—
- (i) A commercial product (as defined in paragraph (1) of the definition of “commercial product” at Federal Acquisition Regulation (FAR) [2.101](#));
  - (ii) Sold in substantial quantities in the commercial marketplace; and
  - (iii) Offered to the Government, under a contract or subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace; and
- (2) Does not include bulk cargo, as defined in 46 U.S.C. 40102(4), such as agricultural products and petroleum products.

"Construction material" means an article, material, or supply brought to the construction site by the Contractor or a subcontractor for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site. Materials purchased directly by the Government are supplies, not construction material.

*Cost of components means—*

- (1) For components purchased by the Contractor, the acquisition cost, including transportation costs to the place of incorporation into the construction material (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or
- (2) For components manufactured by the Contractor, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (1) of this definition, plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the construction material.

*Critical component means a component that is mined, produced, or manufactured in the United States and deemed critical to the U.S. supply chain. The list of critical components is at FAR 25.105.*

*Critical item means a domestic construction material or domestic end product that is deemed critical to U.S. supply chain resiliency. The list of critical items is at FAR 25.105.*

*Domestic construction material means—*

- (1) For construction material that does not consist wholly or predominantly of iron or steel or a combination of both-
  - (i) An unmanufactured construction material mined or produced in the United States; or
  - (ii) A construction material manufactured in the United States, if-
    - (A) The cost of its components mined, produced, or manufactured in the United States exceeds ~~55~~ 60 percent of the cost of all its components, *except that the percentage will be 65 percent for items delivered in calendar years 2024 through 2028 and 75 percent for items delivered starting in calendar year 2029.* Components of foreign origin of the same class or kind for which nonavailability determinations have been made are treated as domestic. Components of unknown origin are treated as foreign; or
    - (B) The construction material is a COTS item; or
- (2) For construction material that consists wholly or predominantly of iron or steel or a combination of both, a construction material manufactured in the United States if the cost of foreign iron and steel constitutes less than 5 percent of the cost of all components used in such construction material. The cost of foreign iron and steel includes but is not limited to the cost of foreign iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the construction material and a good faith estimate of the cost of all foreign iron or steel components excluding COTS fasteners. Iron or steel components of unknown origin are treated as foreign. If the construction material contains multiple

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components, the cost of all the materials used in such construction material is calculated in accordance with the definition of "cost of components".

*Fastener* means a hardware device that mechanically joins or affixes two or more objects together. Examples of fasteners are nuts, bolts, pins, rivets, nails, clips, and screws.

*Foreign construction material* means a construction material other than a domestic construction material.

*Foreign iron and steel* means iron or steel products not produced in the United States. Produced in the United States means that all manufacturing processes of the iron or steel must take place in the United States, from the initial melting stage through the application of coatings, except metallurgical processes involving refinement of steel additives. The origin of the elements of the iron or steel is not relevant to the determination of whether it is domestic or foreign.

*Predominantly of iron or steel or a combination of both* means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components excluding COTS fasteners.

*Steel* means an alloy that includes at least 50 percent iron, between 0.02 and 2 percent carbon, and may include other elements.

"United States" means the 50 States, the District of Columbia, and outlying areas.

(b) Domestic preference.

(1) This clause implements [41 U.S.C. chapter 83](#), Buy American, by providing a preference for domestic construction material. In accordance with [41 U.S.C. 1907](#), the domestic content test of the Buy American statute is waived for construction material that is a COTS item, except that for construction material that consists wholly or predominantly of iron or steel or a combination of both, the domestic content test is applied only to the iron and steel content of the construction materials, excluding COTS fasteners. (See FAR [12.505\(a\)\(2\)](#)). The Contractor shall use only domestic construction material in performing this contract, except as provided in paragraphs (b)(2) and (b)(3) of this clause.

(2) This requirement does not apply to information technology that is a commercial product or to the construction materials or components listed by the Government as follows:

***None.*** [Contracting Officer to list applicable excepted materials or indicate "none"]

(3) The Contracting Officer may add other foreign construction material to the list in paragraph (b)(2) of this clause if the Government determines that-

(i) The cost of domestic construction material would be unreasonable. ~~The cost of a particular domestic construction material subject to the requirements of the Buy American statute is unreasonable when the cost of such material exceeds the cost of foreign material by more than 20 percent;~~

(A) For domestic construction material that is not a critical item or does not contain critical components.

(1) The cost of a particular domestic construction material subject to the requirements of the Buy American statute is unreasonable when the cost of such material exceeds the cost of foreign material by more than 20 percent;

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(2) For construction material that is not a COTS item and does not consist wholly or predominantly of iron or steel or a combination of both, if the cost of a particular domestic construction material is determined to be unreasonable or there is no domestic offer received, and the low offer is for foreign construction material that is manufactured in the United States and does not exceed 55 percent domestic content, the Contracting Officer will treat the lowest offer of foreign construction material that exceeds 55 percent domestic content as a domestic offer and determine whether the cost of that offer is unreasonable by applying the evaluation factor listed in paragraph (b)(3)(i)(A)(1) of this clause.

(3) The procedures in paragraph (b)(3)(i)(A)(2) of this clause will no longer apply as of January 1, 2030.

(B) For domestic construction material that is a critical item or contains critical components. (1) The cost of a particular domestic construction material that is a critical item or contains critical components, subject to the requirements of the Buy American statute, is unreasonable when the cost of such material exceeds the cost of foreign material by more than 20 percent plus the additional preference factor identified for the critical item or construction material containing critical components listed at FAR 25.105.

(2) For construction material that does not consist wholly or predominantly of iron or steel or a combination of both, if the cost of a particular domestic construction material is determined to be unreasonable or there is no domestic offer received, and the low offer is for foreign construction material that does not exceed 55 percent domestic content, the Contracting Officer will treat the lowest foreign offer of construction material that is manufactured in the United States and exceeds 55 percent domestic content as a domestic offer, and determine whether the cost of that offer is unreasonable by applying the evaluation factor listed in paragraph (b)(3)(i)(B)(1) of this clause.

(3) The procedures in paragraph (b)(3)(i)(B)(2) of this clause will no longer apply as of January 1, 2030.

(ii) The application of the restriction of the Buy American statute to a particular construction material would be impracticable or inconsistent with the public interest; or

(iii) The construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality.

(c) Request for determination of inapplicability of the Buy American statute.

(1)

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Delete the first sentence of the third paragraph and substitute the following:

Verify mixture design with trial mixes prepared according to Section 4 of ACI 301 from proposed sources or with previous concrete production data for the mixture design submitted from proposed sources.

Delete item (w) from the third paragraph and substitute the following:

(w) Specified design strength ( $f'_c$ ) and required average strength ( $f'_{cr}$ ) for the concrete mixture at 28 days as determined by the process described in Section 4 of ACI 301. This process and associated calculations are outlined on FHWA Form 1608, pages 4 and 5. Pending 28-day strength results, a mix design may be approved on the basis that 7-day compressive strength results meet or exceed 85 percent of the required average strength ( $f'_{cr}$ ) at 28 days;

**552.08 Delivery.** Add the following to paragraph (a):

Do not exceed 300 total revolutions, including both mixing and agitating speed.

**552.09 Quality Control of Mix.** Add the following:

(c) **Curing and Shipping.** Provide the appropriate initial curing of concrete cylinders taken for compressive strength testing, and transport the cylinders to the project curing facility. Provide suitable containers to protect and continue the curing of cylinders while transporting. Deliver cylinders to the Vancouver Laboratory according to Subsection 154.03. Cylinders will be tested at 7, 14, and 28 days from the date molded. Ensure cylinders arrive at the Vancouver Laboratory at least 1 business day before the designated test date.

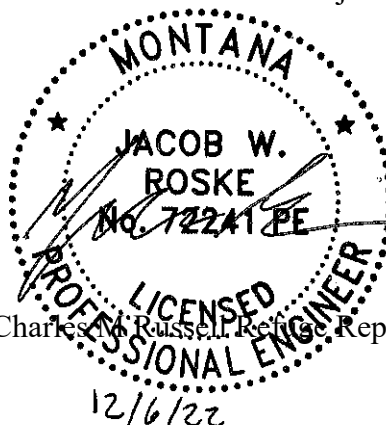
**552.11(b)(6)** Delete this Subsection and substitute the following:

**(6) Precast elements.**

(a) *Plant Casting.* Use a precast concrete manufacturing plant certified by the Precast/Prestressed Concrete Institute Plant Certification Program with a “B-4 Prestressed Deflected-Strand Bridge Beams (Superstructure)” certification **or the National Precast Concrete Association’s Plant Certification Program**. Use the same precast plant for the fabrication of all the precast elements used in the bridge system. Submit proof of certification prior to starting production.

(b) *Site Casting.* Do not utilize site casting plants.

(c) *Tolerances.* Fabricate precast bridge elements conforming to the tolerances of Tables 552-10, 552-11, and 552-12. The CO will reject any element fabricated outside of specified tolerances.



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Special Contract Requirements

Project: MT FWS CMR 61520(1), Charles M. Russell Reservoir Repairs

12/6/22

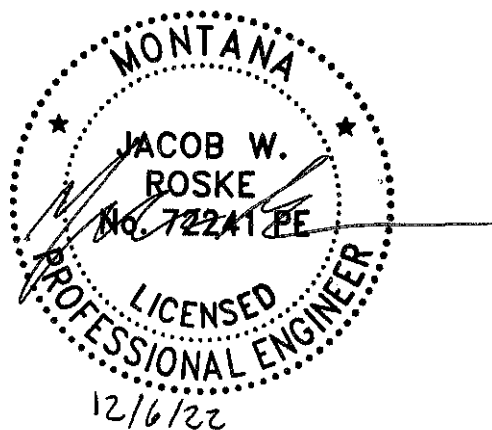


Place and consolidate concrete so that shrinkage cracks are not produced in the member.

Verify that the prefabricated elements will fit-up and align properly before shipping from the precast facility. Assembling each superstructure and substructure composed of prefabricated elements in the yard prior to shipping the elements to the project site would be a suitable way for performing such verification. If assembled in the yard, use blocking to simulate the support of the elements and the spacing between the elements. Verify all elements are constructed in compliance with all plan requirements. Dry fit all connections in the fabrication yard prior to installation of the elements at the bridge site.

**Table 552-10**  
**Precast Bent Cap Fabrication Tolerances**

<b>Length</b>	<b><math>\pm\frac{3}{4}</math> in (19 mm)</b>
Width (overall)	$\pm\frac{1}{4}$ in (6 mm)
Depth (overall)	$\pm\frac{1}{4}$ in (6 mm)
Variation from specified plan end squareness or skew	$\pm\frac{1}{4}$ in/12" width ( $\pm 6$ mm/300 mm width) $\pm\frac{1}{2}$ in max. ( $\pm 6$ mm max.)
Variation from specified elevation end squareness or skew	$\pm\frac{1}{4}$ in/12 in width ( $\pm 6$ mm/300 mm width) $\pm\frac{1}{2}$ in max. ( $\pm 13$ mm max.)
Location of grouted splice coupler measured from a common reference point	$\pm\frac{1}{2}$ in max. ( $\pm 13$ mm max.)
Local smoothness of any surface	$\pm\frac{1}{4}$ in in 10 ft ( $\pm 6$ mm in 3 m)
Erection elevation tolerance	$\pm\frac{1}{4}$ in ( $\pm 6$ mm)



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## Section 717. — STRUCTURAL METAL

07/21/17-FP14

**717.01 Structural Steel.** Delete the text of this Subsection and substitute the following:

**(a) Structural steel.** All structural steel must be new material. Provide certified copies of mill test reports for all structural steel and bolts.

**(1) Rock Creek Crossing.** Provide steel shapes, plates and bars conforming to the requirements of AASHTO M270, Grade 50 (ASTM A709/ASTM A123 Hot-Dip Galvanized Steel); and provide Hollow Steel Shapes conforming to the requirements of ASTM A500 Grade C/ASTM A123 Hot-Dip Galvanized Steel.

**(2) Sand Creek Bridge.** All structural weathering steel shapes and plates must conform to the requirements of ASTM A588. If used, all square and rectangular weathering structural steel tubing must conform to the requirements of ASTM A847 structural tubing.

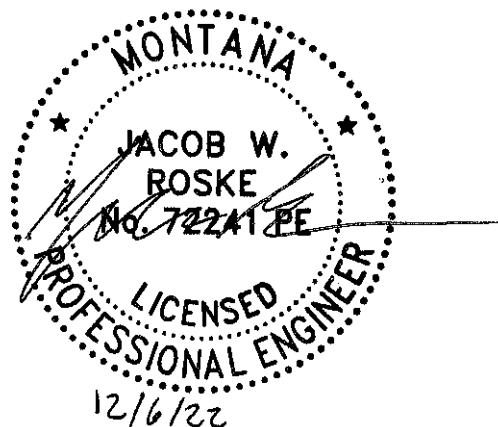
**(b) Bolts and nuts.**

**(1) Rock Creek Crossing.** Provide bolts conforming to ASTM F3125, Grade A325, Type 1 (galvanized) with Type 1 (galvanized) nuts & washers.

Provide anchor bolts conforming to ASTM F1554, Grade 36 (galvanized) except as noted.

**(2) Sand Creek Bridge.** Provide high-strength bolts for all structural field bolted connections. High-strength bolts, heavy hex nuts and hardened washers must conform to the following requirements, unless approved in writing by the Engineer:

- |                    |                                 |
|--------------------|---------------------------------|
| <b>(a)</b> Bolts   | ASTM F3125 Grade A325, Type 3.  |
| <b>(b)</b> Nuts    | Appropriate class of ASTM A 563 |
| <b>(c)</b> Washers | ASTM F 436 Type 3               |



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