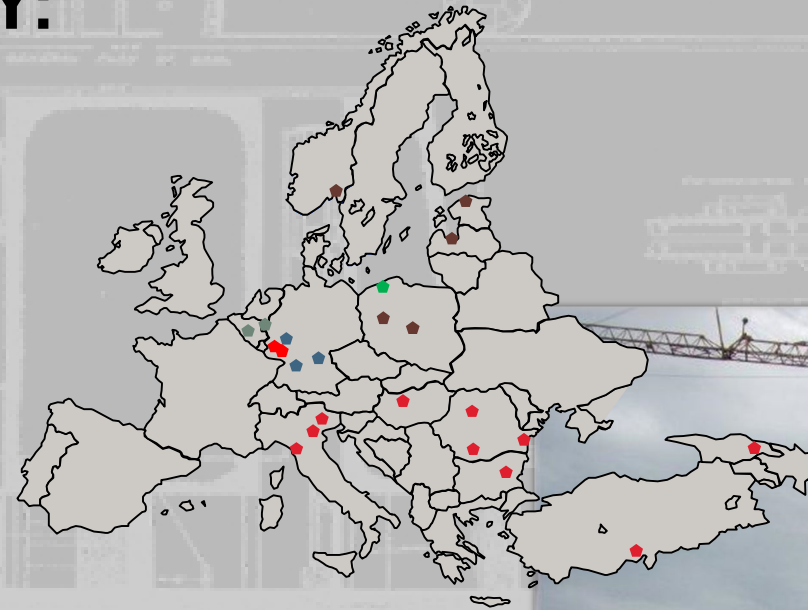


# PRESENTATION FOR INDUSTRY: WORKING WITH THE US ARMY CORPS OF ENGINEERS, EUROPE DISTRICT

Online Presentation



Presentation available for download:  
<https://www.nau.usace.army.mil/Business-With-Us/Contracting/Industry-Event/>



US Army Corps  
of Engineers®



# USACE TEAM INTRODUCTIONS



**Mr. Joshua Mueller**  
*Project Manager*

**Ms. Jennifer Aldridge**  
*Strategic Engagement Coordinator*

**Major Andrene Alexander**  
*Contracting Officer*

**Ms. Spenser Ruvalcaba**  
*Project Manager*



<b>INDUSTRY DAY: ONLINE AGENDA</b>	<b>Time</b>
<b>About US Army Corps of Engineers (USACE)</b>	3:00 - 08:20
<b>Doing Business with the USACE: Part 1</b> Systems and Registrations	8:21 - 17:57
<b>Doing Business with the USACE: Part 2</b> Source Selection, Procurement Tools & Project Delivery Methods	17:58 - 21:24
<b>Doing Business with the USACE: Part 3</b> Understanding the Solicitation and Proposal Preparation	21:26 - 28:43
<b>US Procurement Law &amp; Overseas Contracting: Part 4</b>	28:45 - 44:40
<b>USACE Specific Requirements: Part 5</b> Construction Quality Management Course, Safety, Schedule & Payments, Resident Management System (RMS)	44:41 - 48:34
<b>Conclusions/Points of Contact</b>	48:35 - 49:42





# DISCLAIMER



## Information Provided During this Presentation

This presentation is for general information and will not change the terms and conditions of any subsequent solicitation or contract.



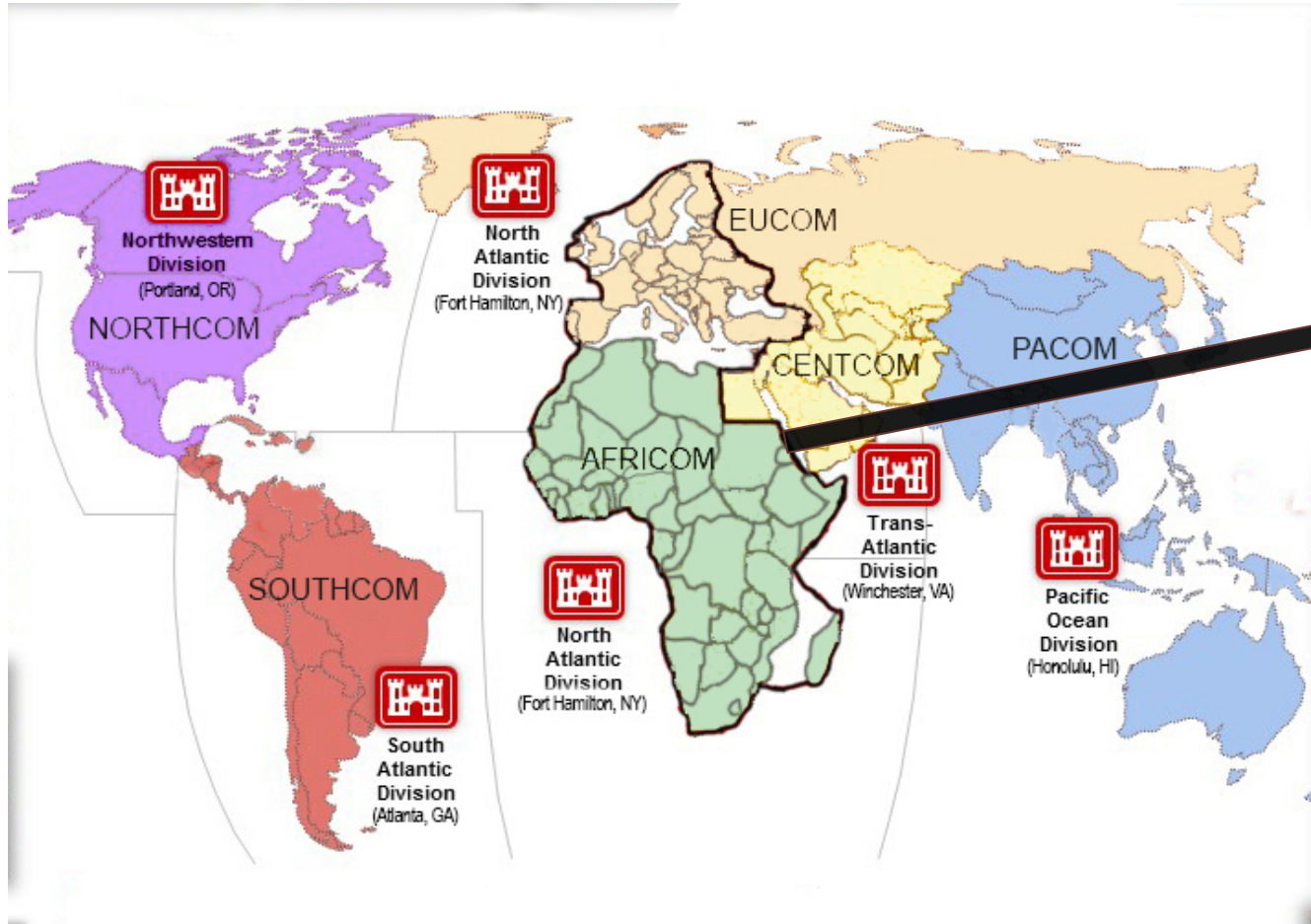
# ABOUT THE US ARMY CORPS OF ENGINEERS (USACE)

- Mission: USACE provides vital engineering solutions, in collaboration with our partners, to secure our Nation, energize the economy, and reduce risks of disasters.
- USACE supports engineering needs of the US military both at home and overseas.
- USACE consists of approximately 37,000 dedicated Civilians and Soldiers delivering engineering services to customers in more than 130 countries worldwide.





# USACE is globally engaged and regionally aligned



- NAU Commander: Colonel John K. Baker, P.E.
- Headquartered in Wiesbaden, Germany
- Six broad portfolios: Enduring Base Support, Forward Basing and Posture, Medical Facilities, School Facilities, Defense Security Cooperation, and Missile Defense.

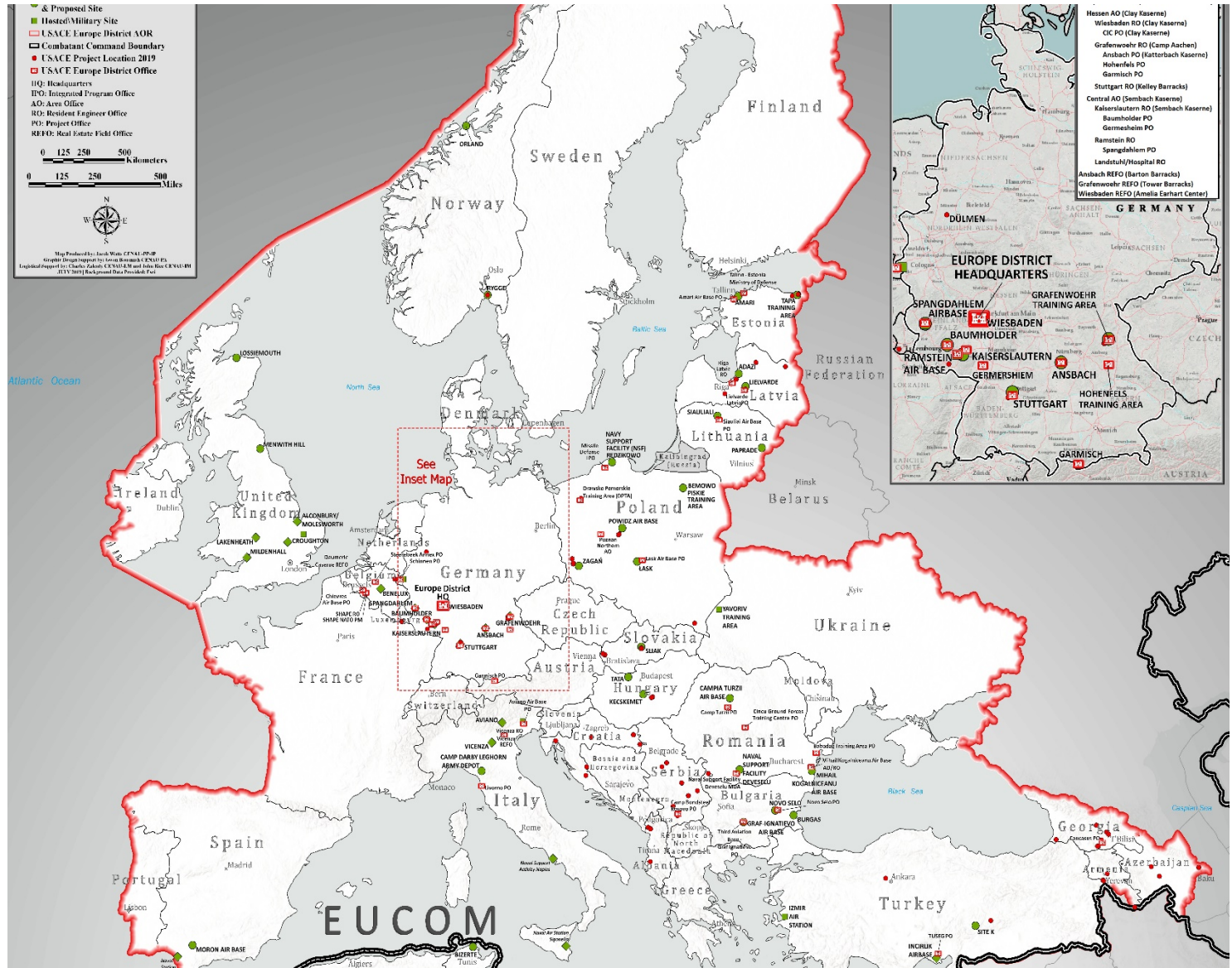


# Europe District AOR (1 of 2) – MILCON Workload



Europe District MILCON projects (past, present, and future) are located in 16 countries throughout the EUCOM AOR:

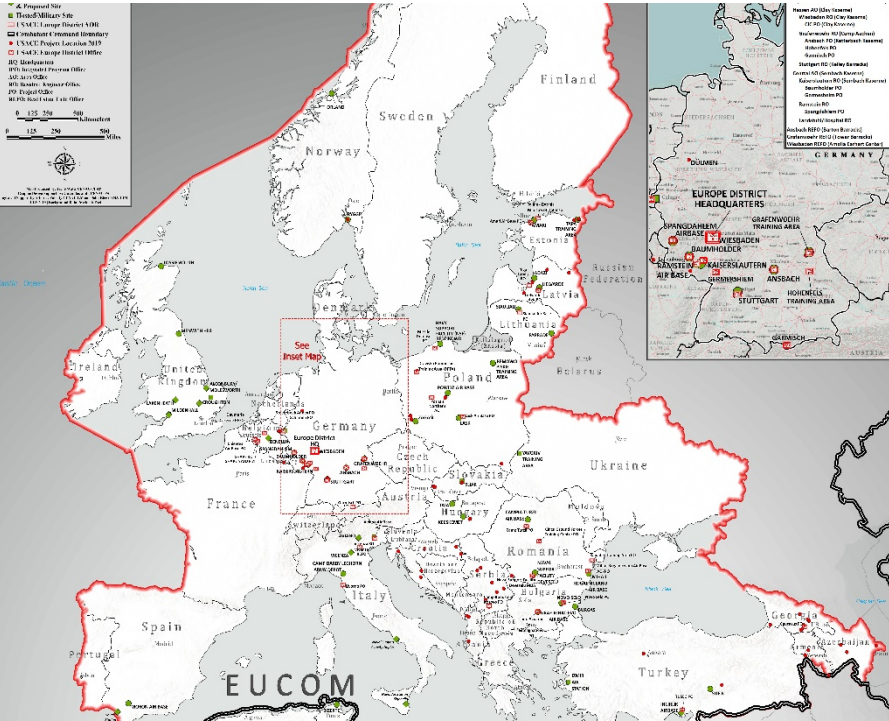
BEL	Belgium
BGR	Bulgaria
CZE	Czech Republic
DNK	Denmark
EST	Estonia
DEU	Germany
HUN	Hungary
ITA	Italy
LVA	Latvia
LTU	Lithuania
LUX	Luxembourg
NLD	Netherlands
NOR	Norway
POL	Poland
ROU	Romania
SVN	Slovakia
TUR	Turkey







# Europe District AOR (2 of 2) – Non-MILCON Workload



## EUCOM Non-MILCON Workload

(not already included in MILCON)

ALB	Albania
ARM	Armenia
AZE	Azerbaijan
GEO	Georgia
HVR	Croatia
ISR	Israel
XKX	Kosovo
MKD	North Macedonia
SRB	Serbia
UKR	Ukraine



## AFRICOM Non-MILCON Workload

BEN	Benin
BFA	Burkina Fasso
CMR	Cameroon
TCD	Chad
DJI	Djibuti
GAB	Gabon
GHA	Ghana
KEN	Kenya
LSO	Lesotho
MWI	Malawi
MOZ	Mozambique
NER	Niger
NGA	Nigeria
STP	Sao Tome
SEN	Senegal
SLE	Sierra Leone
ZAF	South Africa
SWZ	Swaziland
TGO	Togo
TUN	Tuniaia





# EUROPE DISTRICT OFFICES



•500+ Employees  
•25% Local Nationals  
•More than 30 field offices in 14 countries



**District HQ – Wiesbaden**  
Special Projects RO  
(AFRICOM/EUCOM)



**Hessen Area Office –Wiesbaden, Germany**  
Wiesbaden RO  
CIC PO  
Grafenwoehr RO  
Ansbach PO  
Hohenfels PO  
Garmish PO  
Stuttgart RO



**Poland MD Area Office**  
(Redzikowo, Poland)



**Northern Europe Area Office (Poznan, Poland)**  
Powidz RO – Powidz, Poland  
Lask RO – Lask, Poland\*  
Riga RO – Riga, Latvia  
Tallinn PO – Tallinn, Estonia



**BENELUX RO - Mons, Belgium**  
Brunssum PO Netherlands  
Brussels PO - Brussels



**Central Area Office – Sembach, Germany**  
Ramstein AFB RO  
Spangdahlem AFB PO  
Kaiserslautern RO  
Germersheim PO  
Baumholder RO



**ROBMC (Hospital) Area Office\***

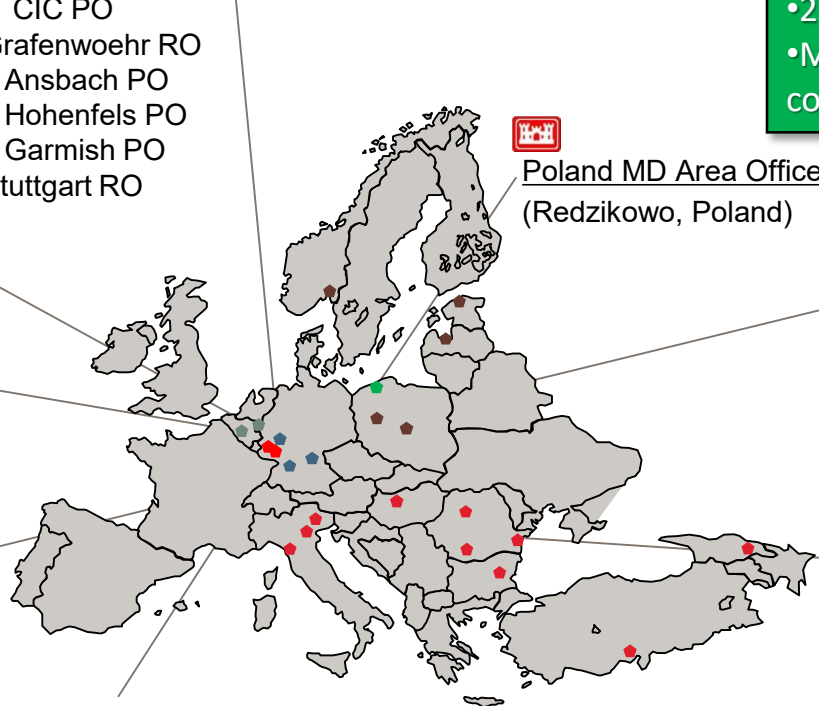
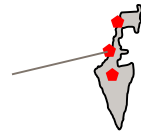


**Southern Europe Area Office (MK, Romania)**  
Romania RO – Mihail Kogalniceanu (MK)  
Campia Turzii PO – Romania\*  
Romania MD PO – Deveselu, Romania  
NSTA PO – Bulgaria  
Mediterranean RO – Vicenza, Italy  
Aviano PO  
Livorno PO  
TUSEG – Incirlik AB, Turkey  
Caucasus PO – Tbilisi, Georgia

RO: Resident Office  
PO: Project Office  
\*Planned Office



**Israel Area Office**  
North RO  
Haifa PO  
Central RO  
South RO





# DOING BUSINESS WITH THE U.S. ARMY CORPS OF ENGINEERS: PART 1

*SYSTEMS AND REGISTRATIONS*

**MAJOR ANDRENE ALEXANDER  
CONTRACTING OFFICER**





# OVERVIEW: SYSTEMS AND REGISTRATIONS






- General Information: Registrations & ID Numbers
- DUNS Number
- Cage Code
- SAM Registration





# REGISTRATIONS & IDENTIFICATION NUMBERS



System	Description	Website	General Timeline
<b>DUNS</b> 	Dun & Bradstreet Number (DUNS): Unique nine-digit identification <b>number</b> for each physical location of your business	<a href="https://fedgov.dnb.com/webform/">https://fedgov.dnb.com/webform/</a>	24-48 hours
<b>CAGE / NCAGE</b> 	Commercial and Government Entity (CAGE) Code  NATO Commercial and Government Entity (NCAGE) Code	<a href="https://cage.dla.mil/">https://cage.dla.mil/</a>  <a href="https://eportal.nspa.nato.int/AC135Public/CageTool/home">https://eportal.nspa.nato.int/AC135Public/CageTool/home</a>	7-11 business days
<b>SAM</b> 	System for Award Management (SAM) is a registration database required for all US Federal Government Contracts and where you will find opportunities.	<a href="http://www.sam.gov">www.sam.gov</a>	12-15 business days go active



# DUNS NUMBER



**What is a DUNS Number?** It's a unique nine-digit identification number for each physical location of your business.

**How does my firm obtain a DUNS number?** Go to the following web location to obtain a DUNS number at no cost:

<https://fedgov.dnb.com/webform/>

For any questions regarding your legal business name and physical address or technical difficulties, contact Dun & Bradstreet at [SAMHelp@dnb.com](mailto:SAMHelp@dnb.com)



# DUNS NUMBER



dun & bradstreet

Perspectives Solutions Products About Us **D-U-N-S Number**

dun & bradstreet

## Improve Performance through Data & Insights

Learn More

### Get a Dun & Bradstreet D-U-N-S® Number

The D-U-N-S Number is used to establish your company's D&B® file, which can help potential partners and lenders learn more about your business, and may also help them make more informed decisions about whether or not to work with you as a client, supplier, or partner.

The first step in creating a new D-U-N-S Number is searching to see whether Dun & Bradstreet has already created one for you.

Primary Reason for D-U-N-S Number Registration: I'm a U.S. Government Contractor or Grantee

Continue

Begin D-U-N-S Request Process:  
<https://fedgov.dnb.com/webform/CCRSearch.do?val=1>





# CAGE AND NCAGE CODE



The CAGE or NCAGE code is a required piece of data for registering in the System for Award Management (SAM).

- **DOMESTIC FIRMS - What is a CAGE Code?** The “Commercial and Government Entity (CAGE)” Code is a unique five character ID used by the US Government to identify domestic companies and federal agencies.
  - How does your company obtain a CAGE Code? If you are a vendor located **inside** the United States, one can be obtained by visiting: <https://cage.dla.mil/>
- **INTERNATIONAL FIRMS - What is an NCAGE Code?** It’s a five-character ID number used by the US Government to identify international companies. All non-US firms must obtain an NCAGE code.
  - How does your company obtain an NCAGE Code? If you are a vendor located **outside** the United States, one can be obtained at no cost by visiting: <https://eportal.nspa.nato.int/AC135Public/CageTool/home>



# CAGE AND NCAGE CODE



Request New NCAGE Code:  
<https://eportal.nspa.nato.int/AC135Public/CageTool/>



# SYSTEM FOR AWARD MANAGEMENT



- U.S. Federal Government mandates contractor registration in the System for Award Management (SAM) prior to the award of a Federal contract.
- How does your company register in SAM? Go to: <https://www.sam.gov/>
- The website contains a video overview briefing and user guides for assistance.





# SYSTEM FOR AWARD MANAGEMENT



- US Contract provisions/clauses require all contractors to **register** and **maintain** an active SAM entity registration in order to be eligible for contract awards, as prescribed by the regulation at FAR Subpart 4.11.
  - Solicitations Provision: FAR 52.204-7 SAM or FAR 52.212-1 Instructions to Offerors--Commercial Items
  - Contract Clause: FAR 52.204-13 SAM Maintenance or 52.212-4 Contract Terms and Conditions--Commercial Items.
- All US Contractors are required to **update** SAM registration **ANNUALLY**.
- In order to be eligible for the contract award resulting from a solicitation, **Offerors are advised to take immediate action to ensure your SAM entity registration is current and/or will be current at the time of proposal receipt by the contracting office.**



# SYSTEM FOR AWARD MANAGEMENT



**SAM**<sup>SM</sup>  
SYSTEM FOR AWARD MANAGEMENT

A NEW WAY TO SIGN IN - If you already have a SAM account, use your **SAM email** for login.gov. [Log In](#) [Login.gov FAQs](#)

HOME SEARCH RECORDS DATA ACCESS CHECK STATUS ABOUT **HELP**




⚠️ ALERT - June 11, 2018: Entities registering in SAM must submit a [notarized letter](#) appointing their authorized Entity Administrator. Read our [updated FAQs](#) to learn more about changes to the notarized letter review process and other system improvements.

⚠️ ALERT - Users who previously bookmarked this site will need to update their bookmark on November 5, 2018. Users may continue to navigate directly to sam.gov, only the bookmarked url will be affected.

The System for Award Management (SAM) is an official website of the U.S. government. There is no cost to use SAM. You can use this site for FREE to:

- Register to do business with the U.S. government
- Update or renew your entity registration
- Check status of an entity registration
- Search for entity registration and exclusion records

### Getting Started

<p>Create A User Account</p>  <p>Start by creating a SAM user account.</p>	<p>Register Entity</p>  <p>After creating your SAM user account, log in to register to do business with the U.S. government.</p>	<p>Search Records</p>  <p>Do a public search for existing entity registration records or exclusion records.</p> <p>Federal users can log in to see additional information.</p>
---	---	---



# IMPORTANT SPECIAL NOTICE



- SAM has a new entity registration requirement that firms submit an **original, signed notarized letter** identifying the authorized Entity Administrator for the entity associated with the Data Universal Numbering System (DUNS) number **before** the registration will be activated.
- Applies to **all new** entity registrations AND all entity registration **renewals**.
- NOTE: The instructions are different for domestic (U.S. based) and international (not U.S. based) firms.

## For More Information:

- Go to General Services Administration's (GSA) announcement page at <https://www.gsa.gov/samupdate>
- Also refer to Federal Service Desk's (FSD) instructions on how to comply with this new requirement <https://www.fsd.gov/fsd-gov/home.do>.



# SAM / NCAGE POINT OF CONTACT & HELP GUIDES



Video on How to Obtain a NATO Commercial and Government Entity (NCAGE) Code

<https://www.youtube.com/watch?v=FWZByOu8K9o>

SAM Quick Start Guide for International Registrations:

[https://www.sam.gov/SAM/transcript/Quick\\_Guide\\_for\\_International\\_Entity\\_Registration.pdf](https://www.sam.gov/SAM/transcript/Quick_Guide_for_International_Entity_Registration.pdf)

SAM Helpful Hints for International Registrants:

[https://www.sam.gov/SAM/transcript/SAM\\_International\\_Helpful\\_Hints.pdf](https://www.sam.gov/SAM/transcript/SAM_International_Helpful_Hints.pdf)



## **NCAGE & SAM POINT OF CONTACT LISTED BY COUNTRY!**

For any questions regarding the legal business name and physical address associated with your NCAGE Code as listed in the NCAGE Code Request tool, please contact your National Codification Bureau (NCB) representative for NCAGE matters.



# IMPORTANT CHANGES!



*FBO.gov is Transitioning to  
beta.SAM.gov*



**... moved...**









# OPPORTUNITIES



Notices for proposed actions are publicized when contract actions are expected to exceed \$25,000. Notices include solicitations, pre-solicitations, sole source justifications, awards and other notices related to the acquisition of supplies and services.

- A free web-based portal which allows vendors (contractors) to review U.S. Federal Procurement Opportunities
- Primary source of identifying U.S. Federal Opportunities.
- Vendors (Contractors) use it to retrieve Solicitations and Amendments issued by the U.S. Army Corps of Engineers (unclassified).



# TYPES OF NOTICES (1 OF 2)



- **Sources Sought:** Used as a market research by contracting officers.
- **Pre-Solicitation Notice:** Makes vendors aware that a solicitation may follow. Vendors may add themselves to the Interested Vendors List, if the posting agency has enabled this feature.
- **Solicitation (Combined Synopsis/Solicitation):** Most opportunities classified this way are open for bids from eligible vendors. These opportunities include specifications for the product or service requested and a due date for the proposal. The notice will specify bidding procedures in the details of the solicitation.



# TYPES OF NOTICES (2 OF 2)



- **Award Notice:** When a federal agency awards a contract in response to a solicitation, they may choose to upload a notice of the award to allow the interested vendors to view the vendor receiving the awarded contract, and amount agreed upon.
- **Special Notice:** Most opportunities classified this way are open for bids from eligible vendors (For Examples: MATOCs). These opportunities include specifications for the product or service requested and a due date for the proposal. The notice will specify bidding procedures in the details of the solicitation. Also used for announcing Industry Days.



# THE BASICS





# CHANGES IN FEATURES AND FUNCTIONALITY (1 OF 2)



You will notice that many of the features and functionality that you utilize in FBO.gov will move to beta.SAM.gov under new names.



Watchlist will become Follow in beta.SAM.gov. If you want to follow a contract opportunity, select follow on the display page.



Profile / Following

- Account Details
- Reset Password
- My Roles
- Role Migrations
- Following**

### **i** Migrate Your Roles

If you have a user account at any of the applications that are moving to the new beta.SAM.gov, you may migrate your roles and keep your same permissions. [Begin Now.](#)

## PROFILE Following

Showing 1-3 of 3 results

Sort By

Record ID



Actions

Search Followings

*Find Record ID or type of the record*

Frequency

- Immediate
- Daily
- Weekly
- None

<input type="checkbox"/>	Record ID	Description	Type	Last Modified	Email Frequency	Action
<input type="checkbox"/>	<a href="#">c761adbff39ef707218332500â€¦</a>	Original Presolicitation	OPP		Immediate	Following
<input type="checkbox"/>	<a href="#">c6d82f9091c59a3bc2dd38eafâ€¦</a>	Updated Modification/Amenâ€¦	OPP		Immediate	Following
<input type="checkbox"/>	<a href="#">34bfd7f69f79d327efef31059â€¦</a>	Updated Modification/Amenâ€¦	OPP		None	Following



**DoD Procure-to-Pay (P2P)**

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards



# CHANGES IN FEATURES AND FUNCTIONALITY (2 OF 2)



Search agent will become Saved Search in beta.SAM.gov. Saved searches can be created directly from search results and managed from your workspace.

---



Archived will become Inactive in beta.SAM.gov. Open notices are labeled as Active.

Search Results

Saved Searches

Search

Search Wc

Search

Keywords

Empty text input field for keywords

Clear All

Domains

- Select all
- Assistance Listings
- Contract Opportunities
- Contract Data
- Entity Information
- Federal Hierarchy
- Wage Determination

Date

WORKSPACE

# Saved Searches

Showing 1 - 2 of 2 results

Sort By

Date Last Saved



Actions

## Truck

Domain  
All Domains

Page  
1

Sort By  
Relevance(Desc)

Date Last Saved  
Mar 28, 2019

Keyword(s)  
truck

Active Only?  
Yes

Date Last Run  
---

Actions

## CO

Domain

Page

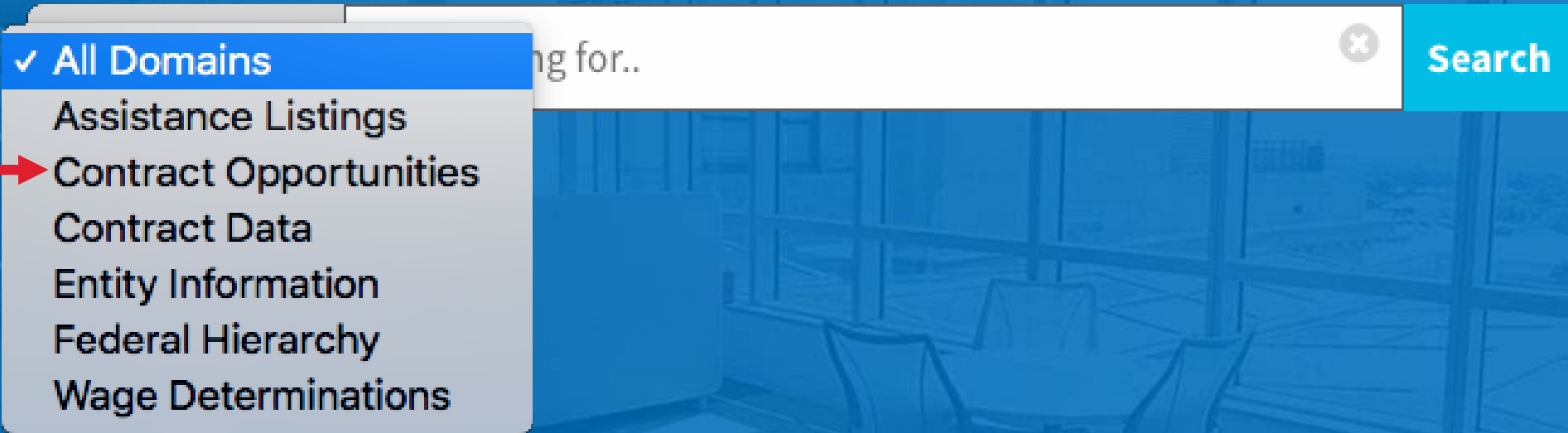
Sort By



## DoD Procure-to-Pay (P2P)

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards

# HOW TO SEARCH



- Search through each award domain separately or across all domains at once with a single search tool
- Easy to understand display
- More consistent results with award data filtering options
- Sort search results by title or date modified
- Search by keyword or ID (ex: DUNS, contract number)
- Find comprehensive data about an entity with a single search





**U.S. AIR FORCE**

Contract Opportunity

General Information

Classification

Synopsis/Description

Packages

Contact Information

History

What you think matters!

**Provide Feedback**

Follow



Note: There have been new actions to this contract opportunity. To view the most recent action, please click [here](#).

# 16--CAP, LINEAR ACTUATIN

Contract Opportunity

Notice ID  
SPRTA1-17-R-0329

Office  
Air Force Materiel Command

Location  
PK/PZ Tinker AFB

## General Information



DoD Procure-to-Pay (P2P)

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards



### Change Filters

Customize your search by adding or removing filters. A saved search will retain the custom filters.

Show Inactive Filter Values (Indicated by \*)

- Title
- Task/ Delivery Order Number
- Set Aside
- Awardee Location
- Contract Office Location
- Contract Award Number
- Contractor Awarded Name
- Additional Reporting

Update

Search Results

Saved Searches

Change Filters

#### Status

Active Only

#### Keywords

Clear All

#### Date

Date Type

Modified

Save Search

Download

By

Date Modified

Contract Opportunities

Notice ID

70FBR919Q00000009

Last Modified Date

Nov 23, 2018 (2)

Last Published Date

Nov 23, 2018

Type

Updated Combined  
Synopsis/Solicitation



## DoD Procure-to-Pay (P2P)

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards



**U.S. AIR FORCE**

Contract Opportunity

General Information

Classification

Synopsis/Description

Packages

Contact Information

History

What you think matters!

**Provide Feedback**

Unfollow

## 29--VALVE,FUEL PRESSURI, 2915010353771NZ, 3B

Contract Opportunity

Notice ID  
SPRTA1-15-Q-0128

Office  
Air Force Materiel Command

Location  
PK/PZ Tinker AFB

### General Information

[View Changes](#)

Contract Opportunity Type: Updated Presolicitation

Update/Amendment Posted Date: Jun 16, 2015

Original Published Date: Dec 23, 2014



**DoD Procure-to-Pay (P2P)**

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards



**U.S. AIR FORCE**

Contract Opportunity

General Information

Classification

Synopsis/Description

Packages

Contact Information

History

What you think matters!

[Provide Feedback](#)

## Synopsis

[View Changes](#)

### Description

NO SYNOPSIS IS REQUIRED IAW FAR 5.202(a)(13)(i).ON 16 JUN 2015 SOLICITATION SPRTA-15-Q-0128-0001 01 THE REQUIREMENT IS CANCELLED IN ITS ENTIRETY.

## Packages

[Download All Packages](#)

**Solicitation 1 (1)**  
Type: Solicitation

[Download](#)

Posted on Dec 22, 2014

Public

## Contact Information

[View Changes](#)

### Contracting Office Address:

3001 Staff Drive, Ste 1AG76A Tinker AFB OK US 73145-3015

### Primary Point of Contact

### Secondary Point of Contact

Brian J Spano

[brian.spano@tinker.afm.af.mil](#)



**DoD Procure-to-Pay (P2P)**

beta.SAM.gov | For People Who Make, Receive, and Manage Federal Awards





# NEED ASSISTANCE?





- For Help with registration, Contact the Federal Service Desk: [www.fsd.gov](http://www.fsd.gov)

Live Chat or Web form or via Phone

U.S. Calls: 866-606-8220, International Calls: 334-206-7828

Hours of Operation: Monday - Friday 8 a.m. to 8 p.m. ET

Federal Service Desk	Contact FSD	News and Announcements
<p><b>Purpose</b></p> <p>The purpose of the Federal Service Desk (FSD.gov) is to help visitors get the information and assistance they need for the systems (websites) that the FSD supports. <i>Note: There are NO fees associated with any FSD supported systems.</i></p> <p><b>Supported Systems</b></p> <p>System for Award Management (SAM) beta.SAM.gov (beta) Contract Opportunities (BetaSAM) Electronic Subcontracting Reporting System (eSRS) Federal Procurement Data System (FPDS-NG) FFATA Subaward Reporting System (FSRS)</p>	<p> <b>Live Chat</b></p> <p> <b>Web Form</b></p> <p>Hours of Operation Monday - Friday 8 a.m. to 8 p.m. ET</p>	<p><b>ALERT: FBO has Transitioned to beta.SAM.gov</b></p> <p>FBO has moved to <a href="http://beta.SAM.gov">beta.SAM.gov</a> on November 8, 2019. To ensure vendors have no gaps in functionality or performance, read our <a href="#">Contractor Quick Start Guide</a> For current Federal user, you can now migrate your FBO.gov roles to <a href="http://beta.SAM.gov">beta.SAM.gov</a>. For more information, please read our <a href="#">Federal User Transition Quick Start Guide</a>, or Visit our Learning Center for more info: <a href="#">learning center</a></p>





# DOING BUSINESS WITH THE U.S. ARMY CORPS OF ENGINEERS: PART 2

*SOURCE SELECTION  
AND  
ACQUISITION PROCEDURES*

**MAJOR ANDRENE ALEXANDER  
CONTRACTING OFFICER**





# OVERVIEW: SOURCE SELECTION AND ACQUISITION PROCEDURES



- Source Selection Process Overview
- Source Selection Approaches
- Source Selection Teams & Responsibilities
- Simplified Acquisition Procedures
- Project Delivery Methods



# SOURCE SELECTION PROCESS OVERVIEW



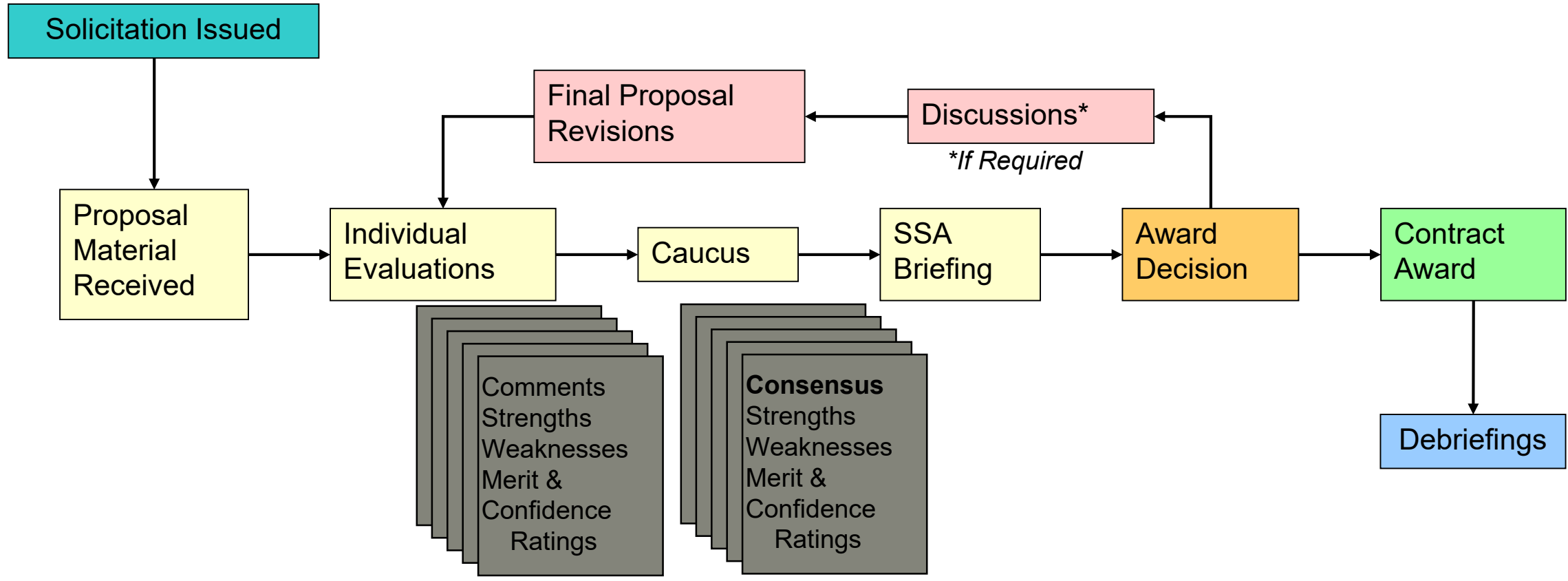
- Develop Requirement & Conduct Market Research
- Develop Acquisition Strategy/Plan
- Government Issues Solicitation (via beta.sam)
  - Pre-proposal conferences/Site Visits will be held for large or complex procurements
  - Offerors submit questions and Government may amend solicitation
- Contractors submit Proposals
- Government Evaluates Proposals
- Award on Initial Offers (Decision Point)
- Establish Competitive Range
- Conduct “meaningful” Discussions
- Request & Receive Final Proposal Revisions
- Evaluate Final Proposals & Make Source Selection Decision
- Contract Award
- Debriefings



# SOURCE SELECTION PROCESS OVERVIEW



## Single Phase Evaluation





# SOURCE SELECTION APPROACHES



## Two COMMON Approaches

- **Lowest price technically acceptable (FAR 15.101-2 )**
  - Best value is expected to result from selection of a technically acceptable proposal with the lowest evaluated price
- **Trade-off Process (FAR 15.101-1)**
  - In the best interest of the Government to consider award to other than the lowest priced offeror or other than the highest technically rated offeror
  - All evaluation factors and significant subfactors that will affect contract award and their relative importance shall be clearly stated
  - Possible Trade-offs: Technical, Past Performance, and Price/Cost



# SIMPLIFIED ACQUISITION PROCEDURES

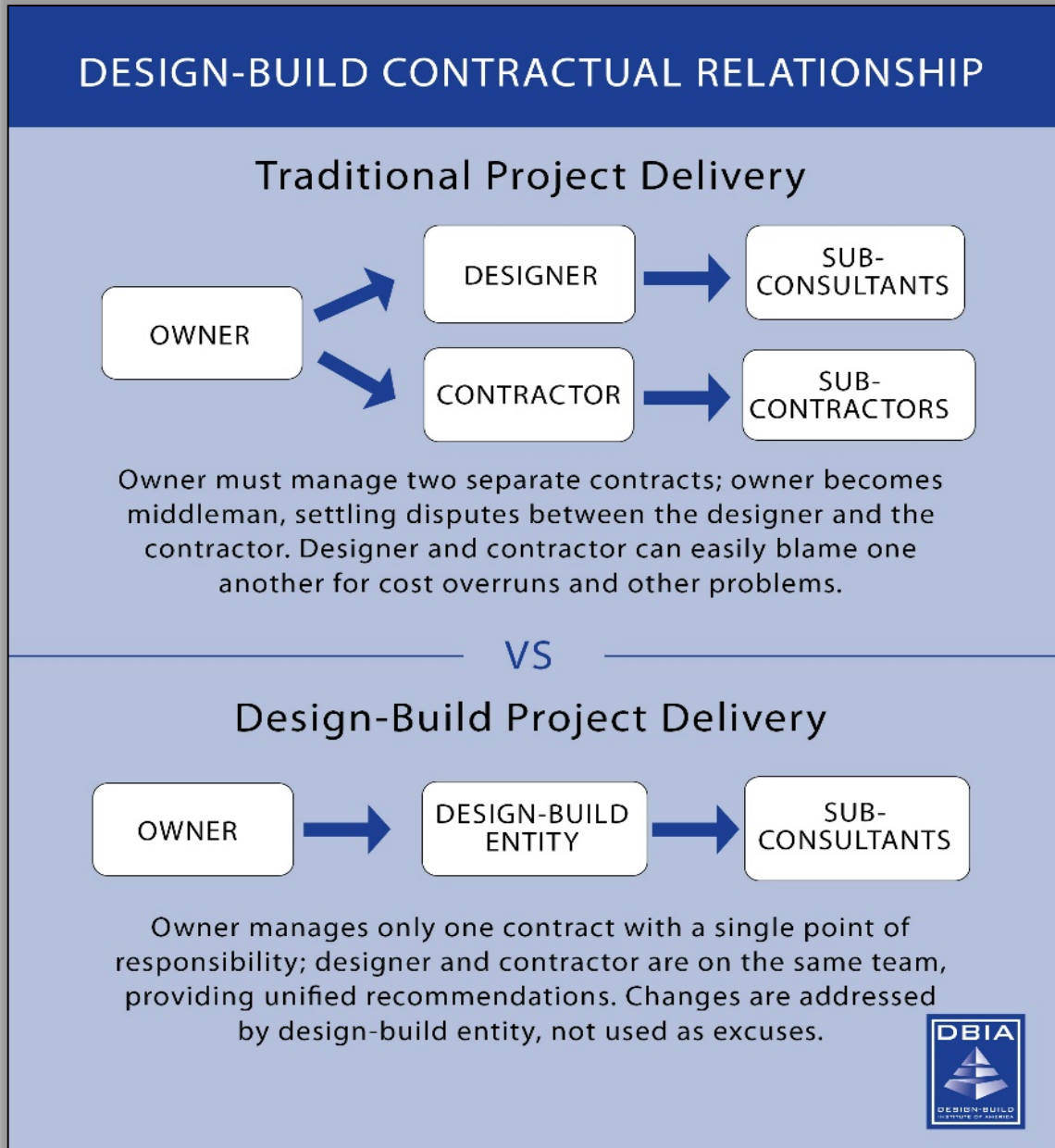


- Simplified Acquisition Procedures are similar to Source Selection but much more streamlined.
- Used by the Europe District for many humanitarian or peacekeeping projects valued at or below \$500,000 and to be performed outside the United States
- The evaluations procedures are in accordance with Federal Acquisition Regulation Part 13.106-2(b)(3) – Price and Other Factors.
- Award will be made to an Offeror proposing the combination most advantageous to the Government based upon an integrated assessment of the proposals received, including price and non-price evaluation factors described in the solicitation. The award decision may be based on one or more of the following:
  - (A) The contracting officer's knowledge of and previous experience with the supply or service being acquired;
  - (B) Customer surveys, and past performance questionnaire replies
  - (C) The Contractor Performance Assessment Reporting System (CPARS) at <https://www.cpars.gov>; or
  - (D) Any other reasonable basis.





# PROJECT DELIVERY METHODS





# DOING BUSINESS WITH THE U.S. ARMY CORPS OF ENGINEERS: PART 3

*UNDERSTANDING THE SOLICITATION,  
PROPOSAL PREPARATION, AND  
USACE SPECIFIC REQUIREMENTS*

**MAJOR ANDRENE ALEXANDER  
CONTRACTING OFFICER**





# OVERVIEW: UNDERSTANDING THE SOLICITATION, PROPOSAL PREPARATION, AND USACE SPECIFIC REQUIREMENTS



- Understanding the Solicitation
- Preparing your Proposal
- Exchanges with Offerors & Debriefings
- USACE/U.S. Government Specific Requirements



# UNDERSTANDING THE SOLICITATION PACKAGE



- The typical Request for Proposal (RFP) is a significantly long document that reads like a legal text, and has very specific requirements. Make sure you thoroughly **read** and **understand** the proposal submission requirements and process.
- You may be disqualified for submitting a proposal that does not meet **all** of the requirements.
- Understanding each section prior to preparing your first RFP response will certainly save you time.



# UNDERSTANDING THE SOLICITATION PACKAGE



<b>Section 00 01 10</b>	<b>Table of Contents</b>
Section 00 01 15	List of Drawing Sheets
Section 00 10 00	Solicitation, Contract Line Items (CLINs)
Section 00 21 16	Instructions to Proposers
Section 00 22 16	Supplementary Instructions to Proposers
Section 00 45 00	Representations and Certifications
Section 00 70 00	Conditions of Contract
Section 00 72 00	General Conditions
Section 01 00 00	General Requirements
Section 00 73 00	Supplementary Conditions
Section 00 74 00	Special Conditions
Section 01 00 00	General Requirements
Sections 02 00 00 – 49 99 99	Technical Sections



# INFORMATION TO OFFERORS - SECTION 00 10 00



## Solicitation and Contract Standard Forms (SFs)

- Standard Form 33, Solicitation, Offer and Award
- Standard Form 1449, Solicitation / Contract / Order for Commercial Items
- **Standard Form 1442, Solicitation / Contract**
- Standard Form 18, Request for Quotation
- Standard Form 26, Award / Contract

Request for Proposal (RFP): This is a negotiated contract where further discussion may take place after the proposal is submitted. The offeror may have the opportunity to change pricing or technical requirements. A SF 33 or SF 1442 must be signed and submitted. Once the government agency signs the appropriate form, the contract becomes binding. (Offer & Acceptance)





<b>SOLICITATION, OFFER, AND AWARD</b> <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NUMBER	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED	PAGE OF PAGES

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

4. CONTRACT NUMBER	5. REQUISITION/PURCHASE REQUEST NUMBER	6. PROJECT NUMBER

7. ISSUED BY	CODE	8. ADDRESS OFFER TO

9. FOR INFORMATION CALL:	a. NAME	b. TELEPHONE NUMBER (Include area code) (NO COLLECT CALLS)

**SOLICITATION**

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

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

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 \_\_\_\_\_ ).

12a. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? <i>(If "YES", indicate within how many calendar days after award in Item 12b.)</i>	12b. CALENDAR DAYS
<input type="checkbox"/> YES <input type="checkbox"/> NO	

13. ADDITIONAL SOLICITATION REQUIREMENTS:
- 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 will be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and 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.

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

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)

15. TELEPHONE NUMBER (Include area code)

16. REMITTANCE ADDRESS (Include only if different than Item 14.)

CODE

FACILITY CODE

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within \_\_\_\_\_ calendar days after the date offers are due. (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.)

AMOUNTS



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

**19. ACKNOWLEDGMENT OF AMENDMENTS**

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

AMENDMENT NUMBER										
DATE.										

20a. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)

20b. SIGNATURE

20c. OFFER DATE



# INFORMATION TO OFFERORS - SECTION 00 10 00



## MAGNITUDES of CONSTRUCTION

The magnitudes are provided in FAR 36.204 and DFARS 236.204

\$500,000 - \$1,000,000	\$1,000,000 - \$5,000,000
\$5,000,000 - \$10,000,000	\$10,000,000 - \$25,000,000
\$25,000,000 - \$100,000,000	\$100,000,000 - \$250,000,000

### **Typical Language in the Solicitations:**

Per FAR 36.204, the estimated price range of this contract (base and all options) is between \$1,000,000 and \$5,000,000.



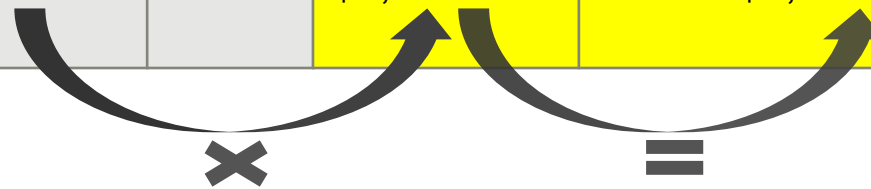
# CONTRACT LINE ITEMS – SECTION 00 10 00



## Contract line items (CLINS) Price/Costs:

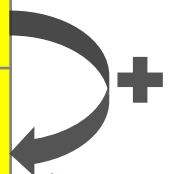
Fill in the highlighted sections

Item Number	Supplies/Services	Quantity	Unit	Unit Price	Amount
0001	Construction of Warehouse	1	Job	\$5,000.00	\$5,000.00



Info Only

Item Number	Supplies/Services	Quantity	Unit	Unit Price	Amount
0001	Design and Construction of Warehouse				
0001AA	Design of Warehouse	1	Job	\$1,000.00	\$1,000.00
0001AB	Construction of Warehouse	1	Job	\$1,000.00	\$1,000.00



Should include all item 0001 costs



# PROPOSAL PREPARATION INSTRUCTIONS - SECTION 00 21 16



This section provides instructions for preparing your proposal including:

- **PROPOSAL ORGANIZATION:** Volume 1 – Technical Proposal  
Volume 2 – Price Proposal
- **FORMAT:** Details regarding PDF readable format, font, and/or page limitation
- **DEADLINES** for submitting **questions** regarding the RFP and proposal due date
- **PROPOSAL DELIVERY METHOD:** For example, beta.SAM.GOV, Email or hard copy submission, address, number of originals and copies, etc.)
- **NOTICES, CONDITIONS OR OTHER INSTRUCTIONS**



# EVALUATION CRITERIA - SECTION 00 22 16



This section will typically include:

- **Basis for Award:**
  - Best Value determination
  - Technical Factors level of importance
  
- **Evaluation Factors & Approach:** Outlines how the agency will assess and evaluate the proposals.
  
- **Adjectival Ratings/Descriptions:** Focuses on strengths and weaknesses of the proposal compared to the requirements in the SOW.





# STATEMENT OF WORK - SECTION 01 00 00



The Statement of Work (SOW) describes what the government agency wants you to do or supply.

## Proposal Tips:

- When responding to the SOW, don't be afraid to be redundant and don't assume the proposed agency already knows the SOW.
- Demonstrate an approach to delivering on the listed SOW and illustrate your firm's capabilities to the agency.



# CONTRACT CLAUSES/GENERAL PROVISIONS - SECTIONS 00 70 00 & 00 72 00



In addition to the general FAR Clauses, this section will also include local clauses including:

52.000-4059	LETTER OF ASSURANCE
52.000-4062	BANK LETTER OF GUARANTY
52.000-4103	DISCLOSURE OF LOBBYING ACTIVITIES
52.000-4133	WORKERS COMPENSATION INSURANCE (DEFENSE BASE ACT) – COUNTRIES WITH WAIVERS
52.000-4092	INSTALLATION CLEARANCE / ACCESS REQUIREMENTS
STR 52.000-4004	IMMUNITY FROM LEGAL PROCESS
STR 52.000-4008	DESIGNATED COUNTRY CITIZENS ON USAREUR ACCESS-CONTROLLED INSTALLATIONS
STR 52.000-4023	UNAUTHORIZED SERVICE
STR 52.000-4024	RELATIONSHIP BETWEEN GOVERNMENT, CONTRACTOR, AND CONTRACTOR PERSONNEL
STR 52.000-4038	ENGLISH SPEAKING REPRESENTATIVE
STR 52.000-4043	CORRESPONDENCE IN THE ENGLISH LANGUAGE
STR 52.000-4074	TAX RELIEF



# SUPPLEMENTARY CONDITIONS - SECTION 00 73 00



This section typically includes:

- Terms for Inspection and Acceptance
- Deliveries or Performance
  - Defines the terms of the contract and states any options to extend the term of the contract
  - Lists the Delivery Dates for each CLIN of the contract
- Contract Administrative Data
  - Invoice data
- Special Contract Requirements
  - Security requirements and base access (if applicable)



# PROPOSAL TIPS



- REMEMBER that each Solicitation is different.
- Follow each solicitation instructions **EXACTLY**. The solicitations will instruct you on what should be submitted, where and when. It is very important to follow those instructions in order to be competitive.
- Offerors are advised to provide their **BEST PROPOSAL** in the first submission.



# DEBRIEFINGS



A Debriefing under FAR Part 15 is an **opportunity for an offeror to better understand the basis for an agency's selection decision.**

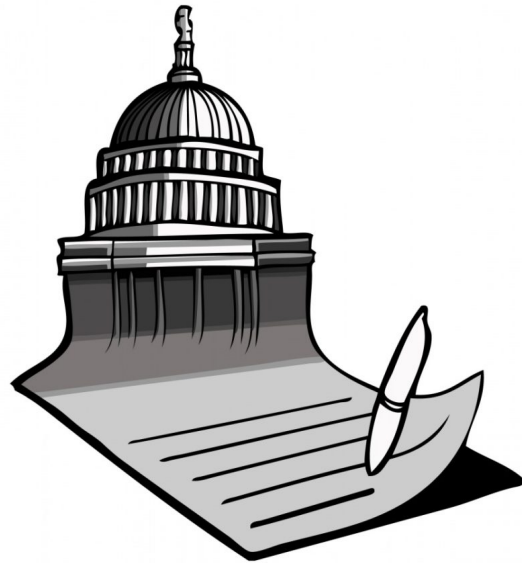
Debriefings give you a chance to hear from the agency regarding:

- the evaluation process;
- how your proposal was evaluated in relation to the evaluation criteria;
- what was successful in your proposal;
- what was lacking in need of improvement in your proposal; and
- reasonable responses to relevant questions about whether the source selection procedures were followed.

Offeror must submit a debriefing request to USACE within **3 calendar days** after notification of exclusion from the competitive range or contract award.



# US PROCUREMENT LAW & OVERSEAS CONTRACTING: PART 4





# OVERVIEW: US PROCUREMENT LAW & OVERSEAS CONTRACTING



- US Procurement Regulations and Important Clauses
- Defense Base Act Insurance
- Import Tax and Value Added Tax (VAT)
- Prime Contractor Project Management
- Teaming Agreements: Joint Ventures, Key Subcontractors, Affiliates
- Bonding Requirements
- US Contracting Officer Authority





# US PROCUREMENT LAW AND REGULATIONS



- Contracts are awarded and executed under United States Procurement laws and regulations.
  - Federal Acquisition Regulation (FAR)  
(<https://www.acquisition.gov/browse/index/far>)
  - Defense FAR Supplement (DFARS)  
(<https://www.acquisition.gov/dfars>)
  - Army FAR Supplement (AFARS)  
(<https://www.acquisition.gov/afars>)





# DISPUTES AND CLAIMS REGULATIONS



- Contract disputes are ruled by the Contract Disputes Act (41 United States Code, Chapt. 71), which is implemented under FAR Subpart 33.2, Disputes and Appeals
- Each contract will include a contract clause 52.233-1, Disputes, which invokes the Contract Disputes Act and establishes “claim” procedures for contractors.
  - A “claim” is a written demand seeking relief relating to a contract, in the form of a payment of money, an adjustment or interpretation of contract terms, or other relief
  - This clause is accessible online at: <https://www.acquisition.gov/content/52233-1-disputes>



# CHOICE OF LAW (OVERSEAS)



## DFARS 252.233-7001

This contract shall be construed and interpreted in accordance with the substantive laws of the United States of America. By the execution of this contract, the Contractor expressly agrees to waive any rights to invoke the jurisdiction of local national courts where this contract is performed and agrees to accept the exclusive jurisdiction of the United States Armed Services Board of Contract Appeals and the United States Court of Federal Claims for the hearing and determination of any and all disputes that may arise under the Disputes clause of this contract.

This clause is accessible online at:

<https://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>



# IMMUNITY FROM LEGAL PROCESS



## CLAUSE 52.000-4004

The contractor agrees to indemnify and save harmless the United States Government against all claims and suits of whatsoever nature arising under or incidental to the performance of this contract by any **subcontractor** against the United States Government. The Contractor further agrees to waive his rights to bring suit or other legal action against the United States Government, except as provided in the Disputes clause of this contract and in the United States Federal Statutes.



# COMPLIANCE WITH LOCAL LABOR LAWS



- The US Government is very concerned that laborers on our projects receive working conditions and wages in accordance with Host Nation laws and regulations
- The provision “Compliance With Local Labor Laws”, provides that contractors must comply with all host nation labor laws and regulations including laws and regulations relating to hours of work and compensation.
- Be aware that this applies to subcontractors as well as the prime contractor – the prime contractor is responsible for ensuring that all workers on the project are properly paid, regardless of whether the workers are employed directly by the prime contractor, principal subcontractor or subcontractors at any tier.
- The Government will always hold the prime responsible.



# DEFENSE BASE ACT (DBA) INSURANCE



- The DBA covers persons employed under contract with the US Government for outside the United States for public works or national defense. The DBA provides medical treatment and compensation to employees of defense contractors injured in the scope and course of their work for the US Government.
- Some countries have waivers from the DBA Insurance requirements with respect to workers covered by their respective nations' workers' compensation for on-the-job injuries laws. These waivers are determined by the US Department of Labor and the US Army Corps of Engineers cannot change these determinations.
- Contracts will include either one of these two clauses:
  - When DBA applies, 52.228-3 Workers' Compensation Insurance (Defense Base Act)
  - When DBA is waived, 52.228-4 Workers' Compensation and War-Hazard Insurance Overseas
- Clauses are accessible online at: <https://www.acquisition.gov/browse/index/far>



# DEFENSE BASE ACT (DBA) INSURANCE



- If the RFP indicates a DBA waiver, the RFP will have a web URL linked where you can click to get a copy of the terms of the country waiver. That web URL link is:  
<https://www.dol.gov/owcp/dlhwc/dbawaivers/dbawaivers.htm>
- When DBA is waived, the contractor must provide workers' compensation coverage against the risk of work injury or death or ensure that adequate coverage is provided by the host or home country of the employee. The insurance coverage must also include liability for war-hazard injuries, death, capture, or detention of the employee and compensate their beneficiaries in the event of death. Furthermore, the Prime contractor in some instances will still need to carry DBA insurance for some employees: US citizens, lawful residents of the US, or employees hired in the US.
- When DBA applies, the contractor must obtain DBA Insurance coverage for employees under its contract and its subcontracts. No other insurance can serve as a substitute. DOL website has a list of authorized insurance carriers: <http://www.dol.gov/owcp/dlhwc/lscarrier.htm>
- The contractor must provide evidence of its DBA insurance before commencing work. Each RFP will have specific instructions.





# TAX EXEMPTIONS: IMPORT TAX AND VALUE ADDED TAX (VAT)



- Contractors working solely for the purpose of supporting the US Government overseas shall not be subject to any form of income or profits tax by foreign governments overseas.
- Importation of articles by any contractors acting on behalf of the US Government overseas shall be free of any import duties or taxes. This means supplies and labor under contract for the US Government shall not be subject to direct or indirect taxation, to include value added taxes (VAT), excise taxes, sales taxes or similar taxes.
- Costs associated with import duties or taxes shall not be included in any price proposal.
- Exemption processes vary by country and prime contractors must be aware that the responsibility to process the paperwork required is the contractor's responsibility. Each RFP will outline specific exemption procedures for each country.



# PRIME CONTRACTOR PROJECT MANAGEMENT



- The US Government contracts are with the prime contractors. When issues arise, the US Government will not deal directly with subcontractors.
- The prime contractor must actively manage the project and ensure the work meets contract requirements and the US Government will hold the prime contractors responsible for contract execution.
- The Provision “Compliance With Host Country Rules and Customs” provides that the contractor is responsible for adequately manning and staffing the project.
- The contractor assumes the risk and cost of obtaining the necessary labor to execute the project.
- The US Government will not compensate a contractor if labor turns out to be more expensive than expected. This is true even if the reason for the added expense is a change in the host nation (HN) laws/regulations that increases a contractor’s labor cost.
- The US Government cannot influence the HN regarding visas or work permits and may not provide any assistance.



# TEAMING ARRANGEMENTS



- The US Government's policy is to recognize the integrity and validity of contractor team arrangements.
- What is a teaming arrangement? A team arrangement is a common way that two or more separate business entities may combine their capabilities and resources in such a way that they can better compete for contract opportunities and accomplish the resulting work.
- Essentially, an interested contractor may enter into a teaming arrangements with other entities that have experience or resources they may lack. Examples of where a team arrangement may be may beneficial:
  - A contractor that has significant design and construction experience, but little or no experience in the Host Nation where the work will be performed may benefit by teaming with a qualified local contractor.
  - A contractor has significant design and construction experience in the Host Nation where the work will be performed, but little or no experience working with the US Government or US Department of Defense or may benefit by teaming with a qualified contractor that does possess such experience.



# TEAMING ARRANGEMENTS



- During Source Selection, the US Government may credit prime contractors for the experience, past performance and/or capabilities of a teaming partner if the proposal includes an agreement with full disclosure of the teaming arrangement and company relationships, which must be signed by authorized representatives of all team members.
- The proposal must explain the major or critical aspects of the work to be performed by each team member (to include identification of team members, a full description of roles and responsibilities of team members, and the duration of the agreement). The “credit” given will depend on the proposed participation of the teaming partner.



# JOINT VENTURES



- A Joint Venture (JV) is a common type of teaming arrangement. What constitutes a “legal” JV varies by country, but what USACE will require is described here.
- If submitting a proposal as a JV, the JV must provide evidence of a legally binding JV agreement, which creates legal responsibility on the part of all contractors in the JV. The US Government may consider the experience and past performance for each joint venture partner.
- The Contract will provide that JV members are jointly and severally liable for any obligations under the contract. The JV Agreement should also state this.
- Each RFP will specify what must be included in the JV agreement. The following is an example:
  - “The legally binding JV agreement shall be signed by an authorized officer from each of the firms comprising the JV. The JV agreement shall identify the chief executive of each entity identified, shall be translated into English, and shall include a detailed statement outlining, in terms of percentages, which JV member is responsible for what aspects of the project, the relationship of the JV in terms of ownership/capital contribution, profit/loss sharing; and which party has overall control, etc.”



# KEY SUBCONTRACTORS AND AFFILIATES



- In order to receive credit for the experience, past performance and/or capabilities of either a subcontractor or an “Affiliate”, the prime contractor must demonstrate what type of services the key subcontractor or Affiliate will provide, and what are the roles and responsibilities in the performance of the contract. Essentially, will it be providing facilities, labor, equipment, or anything else that will benefit the performance of the contract?
- Key Subcontractors: Prime contractors must include letter of commitment that signed by authorized representatives of both the prime and subcontractor. A template for commitment letters is typically included as an attachment to each RFP.
- Affiliates: Prime contractors can also receive credit for an “Affiliate.” The term “Affiliate” is defined in US regulations, but typically it refers to either another subsidiary that shares the same parent corporation as the prime contractor (aka “sister company”), or the parent company itself. The prime contractor’s proposal MUST describe the nature of the relationship between the Affiliates, and it MUST demonstrate how the Affiliate will participate meaningfully under the contract, and include a commitment signed by authorized representatives of both the prime contractor and its Affiliate.



# TEAM ARRANGEMENTS: SUBSTITUTIONS



- Since the US Government will rely on the experience, past performance and/or capabilities of JV members, teaming partners, key subcontractors, and Affiliates in deciding which proposal presents the best value during its award decision, failure to use those same entities or personnel in the manner proposed could result in a termination of the contract for default.
- Such instances are rare, but the prime contractor must propose a substitution to the Contracting Officer in advance, who will look at any proposed substitution closely to determine if it is comparable to the entity proposed.
- In general, substitutions are not guaranteed. The Contracting Officer has no obligation to accept a substitute, and if they are not comparable in terms of experience and/or capabilities, the Contracting Officer has the discretion to decline the proposed substitution.





# BONDING REQUIREMENTS



- Typically US Government requires 100% Performance and Payment bonds, which protect the US Government from a contractor defaulting on its contract obligations. These bonds are issued by approved US based surety companies (See FAR 52.228-15).
- If the RFP specifies, a contractor may submit a Bank Letter of Guarantee (BLG) instead of bond. Typically the BLG is a percentage of the contract value. Typically also, the RFP will require the contractor to provide Bank Letter of Assurance (BLA) with its proposal that shows it can produce the BLG if awarded the contract.
- The Government must be able to draw on the BLG upon request to the bank without the need to take any legal action or obtain the consent of the contractor.
- Note that if the contractor is a Joint Venture (JV), the BLA and BLG must cover all parties of the JV, not just a single member.



# US CONTRACTING OFFICER AUTHORITY



- The US Government establishes and modifies contracts through appointed Contracting Officers and Administrative Contracting Officers (ACOs).
- Only a warranted Contracting Officer or designated ACO has the authority to modify or otherwise change the terms and conditions of a US Government contract. If an individual other than the Contracting Officer attempts to change the terms and conditions of a contract, the contractor shall not proceed with the change and shall immediately notify the Contracting Officer.
- Contracting Officers are assisted by Contracting Officer's Representatives (COR) who are appointed with the responsibility of directing the contractor under the terms of the contract, and monitoring the contractor's performance for quality assurance.
- These are very important points, because legally, USACE is not responsible to pay a contractor for work performed outside what is required in the contract unless the Contracting Officer has agreed. This is true even if the work is requested by other US personnel or HN stakeholders who are not Contracting Officers (or specifically designated ACOs).



# USACE/U.S. GOVERNMENT SPECIFIC REQUIREMENTS

1. Construction Quality Management Course
2. Safety
3. Schedule (Critical Path Method) & Payments
4. Resident Management System (RMS)

**MS. SPENSER RUVALCABA**  
**PROJECT MANAGER**





# USACE CONSTRUCTION QUALITY MANAGEMENT (CQM) COURSE



Course developed in partnership with *Associated Builders and Contractors (ABC)* and the *Associated General Contractors (AGC)*



## Details:

- Instructs Contractor Superintendents, Quality Control (QC) Staff, and Foreman in construction quality control and how it relates to Owner quality assurance (QA)
- Describes the QC/QA system successfully used by USACE
- Required prior to commencement of construction. [Refer to §01 45 00]



## CONSTRUCTION QUALITY MANAGEMENT COURSE (CONT.)



**Location:** Wiesbaden, Germany

**Registration & Schedule:**

<https://www.nau.usace.army.mil/Business-With-Us/CQM/>



**Requirements:**

- Class space is limited to the first 35 students.
- Registration deadline is two (2) weeks prior to start date.
- There is **no fee** for course attendance. For other questions regarding registration or course information please email [CENAU-EC-CQM@usace.army.mil](mailto:CENAU-EC-CQM@usace.army.mil).



# SITE SAFETY AND HEALTH



## Engineer Manual (EM) 385-1-1 USACE Safety & Health Requirements Manual:

<http://www.publications.usace.army.mil/USACE-Publications/Engineer-Manuals/>



## USACE Specifications:

- 01 35 26 Safety and Health Occupational Requirements
- 01 45 01 USACE Quality Control
- 01 45 01.01 Additional Quality Control Personnel



# SCHEDULE (CRITICAL PATH METHOD), PAYMENTS, AND RMS



## PROJECT SCHEDULE (SECTION 01 32 01 )

- The schedule is the **basis for determining contract earnings** during each update period and therefore the amount of each progress payment.
- Activity cost loading must be reasonable and without front-end loading. Provide additional documentation to demonstrate reasonableness if requested by the Contracting Officer.

## PAYMENTS

### FAR 52.232-5 Payments under Fixed-Price Construction Contracts

- **Monthly Invoices**
  - ✓ An itemization of the amounts requested, related to the various elements of work required by the contract covered by the payment requested.
  - ✓ A listing of the amount included for work performed by each subcontractor under the contract.
  - ✓ A listing of the total amount of each subcontract under the contract.
  - ✓ A listing of the amounts previously paid to each such subcontractor under the contract.
  - ✓ Additional supporting data in a form and detail required by the Contracting Officer.

## RESIDENT MANAGEMENT SYSTEM (RMS)

- Comprehensive contract administration software used for ALL construction contracts.
- E.g. Submittals, schedules, pay estimates, contract modifications





# RESIDENT MANAGEMENT SYSTEM (RMS)



The Resident Management System (RMS) is the contract administration programs designed by Resident Engineers. The systems provide an efficient method to plan, schedule, and control all aspects of construction.

Support and tutorials:

➤ RMS Support Center YouTube Channel:

[https://www.youtube.com/channel/UC\\_ID-JmaZgePmlrb2zdUOqg](https://www.youtube.com/channel/UC_ID-JmaZgePmlrb2zdUOqg)

➤ RMS 3 Contractor Mode User Manual:

<https://rms.usace.army.mil/datafiles/rmsdocwebsite/files/RMS3CM.pdf>

➤ Download RMS 3.0 Contractor Launcher:

<https://rms.usace.army.mil/datafiles/rmsdocwebsite/files/RMSLauncherSetupKtr25.exe>

➤ Installing RMS 3.0 Contractor Mode

<https://rms.usace.army.mil/datafiles/rmsdocwebsite/files/Installing%20RMS%203.pdf>



# QUESTIONS/POINTS OF CONTACT



For questions, or to download this presentation with active hyperlinks, please visit:

<https://www.nau.usace.army.mil/Business-With-Us/Contracting/Industry-Event/>





# CONCLUSIONS



## INDUSTRY DAY: ONLINE SUMMARY

**About US Army Corps of Engineers (USACE)**

**Doing Business with the USACE: Part 1**

Systems and Registrations

**Doing Business with the USACE: Part 2**

Source Selection, Procurement Tools & Project Delivery Methods

**Doing Business with the USACE: Part 3**

Understanding the Solicitation and Proposal Preparation

**US Procurement Law & Overseas Contracting: Part 4**

**USACE Specific Requirements: Part 5**

Construction Quality Management Course, Safety, Schedule (Critical Path Method) & Payments, Resident Management System (RMS)



# THANK YOU!