



**U.S. Department of Justice**

Federal Bureau of Prisons  
Administrative Division

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*Field Acquisition Office*

*Grand Prairie, Texas 75051*

August 2, 2018

ATTN: ALL BIDDERS

RE: Amendment Number 00003 (#3)  
Solicitation 15B50818B00000004  
FCC Forrest City, Arkansas  
Replacement Generator (Low Facility)

Dear Bidders,

Enclosed is amendment number 00003 (#3), to the above referenced project. This amendment is issued to update the construction wage rate requirements.

You **must** acknowledge receipt of this amendment (all amendments) by the method as described in item eleven of the Standard Form 30.

If you have any questions regarding this amendment, feel free to contact me at (972) 352-4641 or e-mail at [dpatton@bop.gov](mailto:dpatton@bop.gov)

Sincerely,

Douglas V. Patton  
Contracting Officer  
Federal Bureau of Prisons  
Field Acquisition Office  
U.S. Armed Forces Reserve Complex  
346 Marine Forces Drive  
Grand Prairie, Texas 75051

Enclosure

cc: File  
SCS, FCC Forrest City  
COR, FCC Forrest City  
Facility Manager, FCC Forrest City  
Regional Facilities Administrator, SCRO

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE	
2. AMENDMENT/MODIFICATION NUMBER 00003		3. EFFECTIVE DATE 08/02/2018	4. REQUISITION/PURCHASE REQUISITION NUMBER N/A		5. PROJECT NUMBER (If applicable) 5C4G
6. ISSUED BY Federal Bureau of Prisons Field Acquisition Office U.S. Armed Forces Reserve Complex 346 Marine Forces Drive Grand Prairie, TX 75051		CODE 15BFA0 Douglas V. Patton (O) (972) 352-4641 (F) 972-352-4545 dpatton@bop.gov	7. ADMINISTERED BY (If other than Item 6) Federal Bureau of Prisons FCC Forrest City 1301 Dale Bumpers Forrest City, AR 72335		CODE 15B508
8. NAME AND ADDRESS OF CONTRACTOR (Number, street, country, state and ZIP Code)  Pagoda-Broadway Joint Venture One LLC 837 Oakton Street, Suite F-1 Elk Grove Village, IL 60007				(X)	
				9A. AMENDMENT OF SOLICITATION NUMBER 15B50818B00000004	
				9B. DATED (SEE ITEM 11) 05/23/2018	
				10A. MODIFICATION OF CONTRACT/ORDER NUMBER	
				10B. DATED (SEE ITEM 13)	
CODE 84AU1		FACILITY CODE 081252542			

**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 electronic communication 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 letter or electronic communication, provided each letter or electronic communication makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.  
IT MODIFIES THE CONTRACT/ORDER NUMBER 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 NUMBER IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	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.)

The above referenced invitation for bid is amended to incorporate the attached updated construction wage rates at page 24 of the solicitation, section 5 - attachments, item 1. "END OF AMENDMENT"

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)  Dr. Vincent Mills, Managing Venturer		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)  Douglas Patton Contracting Officer	
15B. CONTRACTOR/OFFEROR  _____ (Signature of person authorized to sign)	15C. DATE SIGNED  8/2/18	16B. UNITED STATES OF AMERICA  By _____ (Signature of Contracting Officer)	16C. DATE SIGNED

Previous edition unusable

General Decision Number: AR180022 07/06/2018 AR22

Superseded General Decision Number: AR20170022

State: Arkansas

Construction Type: Building  
BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Counties: Cleburne, Izard, Lawrence, Lee, Mississippi, Monroe, Sharp, St Francis and Stone Counties in Arkansas.

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

Modification Number	Publication Date
0	01/05/2018
1	07/06/2018

ENGI0624-006 01/01/2017

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
Crane.....	\$ 26.20	12.30
Forklift.....	\$ 26.20	12.30

IRON0321-010 09/01/2014

	Rates	Fringes
IRONWORKER, STRUCTURAL.....	\$ 20.86	15.71

\* PAIN0424-008 07/01/2018

	Rates	Fringes
PAINTER (Spray).....	\$ 17.20	8.87

SHEE0036-035 06/01/2015

	Rates	Fringes
SHEET METAL WORKER (HVAC Duct Installation Only).....	\$ 22.64	13.35

SUAR2015-019 01/09/2017

	Rates	Fringes
BRICKLAYER.....	\$ 19.15	0.00
CARPENTER, Includes Drywall Hanging.....	\$ 17.36	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 21.08	0.00
ELECTRICIAN.....	\$ 21.95	6.36
LABORER: Common or General.....	\$ 11.12	0.00

LABORER: Mason Tender - Brick...	\$ 12.32	0.00
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 23.08	0.00
OPERATOR: Bulldozer.....	\$ 18.14	0.00
PAINTER (Brush and Roller).....	\$ 15.68	0.00
PLUMBER.....	\$ 19.72	3.49
SPRINKLER FITTER (Fire Sprinklers).....	\$ 21.77	2.46
TRUCK DRIVER: Dump Truck.....	\$ 15.00	0.00

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

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The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that

no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION