

CONTRACTING WITH THE CORPS OF ENGINEERS

Lessons Learned:

....The Good

....The Not So Good

.....Let's Start Over



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AGENDA

- Lessons Learned – Why It’s Important to Share Them
- The “Good”
- The “Not So Good” (With a Good Ending)
- The “Let’s Start Over” (Not Such A Good Ending)

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THE “GOOD”



PROJECT: Tern Island (Horizontal Construction)

SB Category: 8(a)

Contract Award Amount: \$2.2M

Description: Build a nesting ground in the Bay Area to attract Caspian Terns nesting in the Columbia River Basin where they are predators of the endangered Pacific North West juvenile salmon

CHALLENGES

- Aggressive schedule – short period of performance
- Logistics – Heavy Equipment had to be shipped in via mini-barges and 20’ boats
- ACO and QAR from another District (San Francisco)

END RESULT

- Contract Completed On Time
- Project had Regional and National Visibility
 - Mentioned in National Geographic
 - Recognition in Bay Area publications
- Contractor received ‘Exceptional’ performance ratings for Quality, Schedule, Cost Control, and Management

LESSONS LEARNED

- Know your 8(a) Contractors – Right Contractor for the Project
- 8(a) was proactive in engaging with the Government pre and post award
- Multi regional GOV team maintained strong communication with each other



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THE “GOOD”

PROJECT: LMA Fish Facility Emergency

Barge Moorage Repairs

SB Category: SB

Contract Award Amount: \$145K

Description: Emergency repair of LMA Fish Facility Mooring bits

Contract Completion Date: 5/1

CHALLENGES:

- GOV received inspection report 2 weeks before barge operations began; moorings would likely fail if barge tied off to them
- Contract Award: 4/19, NTP 4/20

END RESULT

- GOV went with “unusual and compelling circumstances FAR 6.302-2
- Sole Source: SB
- Completed repairs on 5/1

LESSONS LEARNED

- Use Exceptions when situation requires them
- Coordinate expedited actions (Payment Bond).
- GOV knowledge of Contractors’ Capabilities for emergencies is critical



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THE “NOT SO GOOD” (WITH A GOOD ENDING)

PROJECT: Dworshak National Fish Hatchery Burrow Ponds Concrete Repair
SB Category: SB
Contract Award Amount: \$451K

Description: Refurbish and seal surfaces and joints of outside rearing beds

CHALLENGES

- Aggressive schedule – short period of performance
- System for Award Management (SAM) Registration – Contractor Not Registered
- End of Year Award



END RESULT

- Contractor Submitted SAM early September; hung up at IRS (Their system was down)
- GOV Contract Specialist calling SAM, IRS Daily, asking for expedited registration.
- DLA (CAGE Code) Issues
- Finally - Contract awarded on September 29th.

LESSONS LEARNED

- Leverage your PTAC Office for SAM registration
- Other GOV Agencies' systems impact SAM (IRS, DLA)
- Allow 7-14 days for TIN (IRS) with new registration
- Allow 7 days for SAM update



❑ THE “NOT SO GOOD”(WITH A GOOD ENDING)

PROJECT: LGA Fish Barge Loading Dock

Type of Contract: Sealed Bid

SB Category: WOSB

Contract Award Amt: \$168,000

Description: Complete improvements to the fish loading dock at Little Goose Dam including excavating sand/gravel, fabricating steel mooring bollard and a steel ladder.

CHALLENGES

- ❑ Low Bid required verification – significantly below IGE**
- ❑ Low Offer Claimed a Mistake In Bid; Asked to Withdraw**
- ❑ Occurred late in September**
- ❑ Next Low Bid Higher than IGE**

END RESULT

- ❑ FAR 14.407-3(a)– Mistake In Bid – Bidder must provide “clear and convincing evidence”.**
- ❑ Chief of Contracting coordinated with PARC Staff**
- ❑ Mistake In Bid allowed to be corrected, Offeror submitted bid of \$168,000.**

LESSONS LEARNED

- ❑ Withdraw Offer is not Only Option for a Mistake In Bid**
- ❑ KO Ask Contractor What Happened**
- ❑ Seek Expedited Approval from Higher HQTRS when necessary**



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“LET’S START OVER”

PROJECT: MNA Turbine Oil Replacement

SB Category: SB

Contract Award Amount: \$55,000

Description: Supply 5,000 gallons of R&O 68 - Mobile DTE Heavy Medium Turbine Oil for McNary Project.

CHALLENGES

- Lack of competition - Only two offers received
- Vendor originally confirmed ingredient list – Attempted to add ingredients after contract award
- Delivery date missed - Twice

END RESULT

- Contract modified - to extend delivery date
- Contract terminated - after second missed delivery and product nonconformance

LESSONS LEARNED

- Ensure that contract requirements are fully understood
- When brand name items are required – confirm the vendor’s understanding that anything else will be rejected



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“LET’S START OVER”

PROJECT: Jackson Hole Levee Fill IDIQ

SB Category: SB

Contract Award Amount: \$1,242,590.00

Description: Furnish and Deliver Levee Fill Material for Walton Quarry in Jackson Hole, Wyoming.

CHALLENGES

- Contractor’s SAM registration was expired when the GOV was ready to award the 1st Option Year on a 5 year contract; Contractor had failed to Renew their System For Award Management (SAM) registration On the SAM website.
<https://www.sam.gov/portal/SAM/>
- Contractor changed name by 2 letters

END RESULT

- We could not exercise the next Option Year as a valid SAM Registration is required for all contract awards as stated in the clause FAR 52.204-7. Contract expired.

LESSONS LEARNED

- Ensure SAM registration is current.
- Ensure SAM company name matches DUNS and CAGE code names.



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Questions?



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NOTE
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