

|   |                                  |   |  |                  |
|---|----------------------------------|---|--|------------------|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>   |                                  |   | I. CONTRACT ID CODE  | PAGE OF PAGES    |
|   |                                  |   | 1  | 6                |
| 2. AMENDMENT/MODIFICATION NO.<br>0004   | 3. EFFECTIVE DATE<br>16-Apr-2002 | 4. REQUISITION/PURCHASE REQ. NO.<br>W81G67-0307-4687                    | 5. PROJECT NO.(If applicable)                              |                  |
| 6. ISSUED BY<br>CONTRACTING DIVISION<br>USACE - ST PAUL<br>190 5TH STREET E<br>ST PAUL MN 55101-1638  | CODE<br>DACW37                   | 7. ADMINISTERED BY (If other than item 6) CODE<br><br><b>See Item 6</b> |  |                  |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)   |                                  | X   | 9A. AMENDMENT OF SOLICITATION NO.<br>DACW37-02-B-0010      |                  |
|   |                                  | X   | 9B. DATED (SEE ITEM 11)<br>15-Mar-2002                     |                  |
|   |                                  |   | 10A. MOD. OF CONTRACT/ORDER NO.                            |                  |
|   |                                  |   | 10B. DATED (SEE ITEM 13)                                   |                  |
| CODE  | FACILITY CODE                    |   |  |                  |
| <b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>  |                                  |   |  |                  |
| <input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended.   |                                  |   |  |                  |
| <p>Offer 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:</p> <p>(a) By completing Items 8 and 15, and returning <u>  1  </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted;</p> <p>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.</p> |                                  |   |  |                  |
| <b>12. ACCOUNTING AND APPROPRIATION DATA (If required)</b>  |                                  |   |  |                  |
| <b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.<br/>IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>   |                                  |   |  |                  |
| A.THIS CHANGE ORDER IS ISSUED PUR SUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. 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).  |                                  |   |  |                  |
| C.THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:   |                                  |   |  |                  |
| D.OTHER (Specify type of modification and authority)  |                                  |   |  |                  |
| E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.   |                                  |   |  |                  |
| <b>14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)</b><br>1. BID OPENING REMAINS 26 APR 02 2PM LOCAL<br>2. In Section 00830 Wage Decisoin ND010015 is replaced the attached [ND020015 (5 pages )].  |                                  |   |  |                  |
| <small>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.</small>   |                                  |   |  |                  |
| 15A. NAME AND TITLE OF SIGNER (Type or print)   |                                  |   | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) |                  |
| 15B. CONTRACTOR/OFFEROR   | 15C. DATE SIGNED                 | 16B. UNITED STATES OF AMERICA   |  | 16C. DATE SIGNED |
| _____<br>(Signature of person authorized to sign)   |                                  | BY _____<br>(Signature of Contracting Officer)                          |  |                  |

EXCEPTION TO SF 30  
APPROVED BY OIRM 11 -84

30-105-04

STANDARD FORM 30 (Rev. 10-83)  
Prescribed by GSA  
FAR (48 CFR) 53.243

Superseded General Decision No. ND010015

State: North Dakota

Construction Type:  
HEAVY

County(ies) :

|               |           |          |
|---------------|-----------|----------|
| ADAMS         | HETTINGER | RICHLAND |
| BARNES        | KIDDER    | ROLETTE  |
| BENSON        | LA MOURE  | SARGENT  |
| BILLINGS      | LOGAN     | SHERIDAN |
| BOTTINEAU     | MCHENRY   | SIOUX    |
| BOWMAN        | MCINTOSH  | SLOPE    |
| BURKE         | MCKENZIE  | STARK    |
| CAVALIER      | MCLEAN    | STEELE   |
| DICKEY        | MERCER    | STUTSMAN |
| DIVIDE        | MOUNTRAIL | TOWNER   |
| DUNN          | NELSON    | TRAILL   |
| EDDY          | OLIVER    | WALSH    |
| EMMONS        | PEMBINA   | WARD     |
| FOSTER        | PIERCE    | WELLS    |
| GOLDEN VALLEY | RAMSEY    | WILLIAMS |
| GRANT         | RANSOM    |          |
| GRIGGS        | RENVILLE  |          |

HEAVY CONSTRUCTION PROJECTS (including Sewer & Water Line  
Construction & Drainage Projects and Excluding Industrial  
and Processing Plants and Refineries)

| Modification Number | Publication Date |
|---------------------|------------------|
| 0                   | 03/01/2002       |
| 1                   | 04/19/2002       |

COUNTY(ies):

|               |           |          |
|---------------|-----------|----------|
| ADAMS         | HETTINGER | RICHLAND |
| BARNES        | KIDDER    | ROLETTE  |
| BENSON        | LA MOURE  | SARGENT  |
| BILLINGS      | LOGAN     | SHERIDAN |
| BOTTINEAU     | MCHENRY   | SIOUX    |
| BOWMAN        | MCINTOSH  | SLOPE    |
| BURKE         | MCKENZIE  | STARK    |
| CAVALIER      | MCLEAN    | STEELE   |
| DICKEY        | MERCER    | STUTSMAN |
| DIVIDE        | MOUNTRAIL | TOWNER   |
| DUNN          | NELSON    | TRAILL   |
| EDDY          | OLIVER    | WALSH    |
| EMMONS        | PEMBINA   | WARD     |
| FOSTER        | PIERCE    | WELLS    |
| GOLDEN VALLEY | RAMSEY    | WILLIAMS |
| GRANT         | RANSOM    |          |
| GRIGGS        | RENVILLE  |          |

Craft Group Name:

CABLE SPLICER

Craft/Rate Text Block: ELEC0714J 1 01/01/2001

Rates Fringes

ADAMS, BILLINGS, BOTTINEAU, BOWMAN, BURKE, DIVIDE, DUNN, EMMONS, GOLDEN VALLEY, GRANT, HETTINGER, MCHENRY, MCKENZIE, MCLEAN, MERCER, MOUNTRIAL, OLIVER, PIERCE, RENVILLE, ROLLETTE, SHERIDAN, SOIUX, SLOPE, STARK, WARD, & WILLIAMS COUNTIES:

ELECTRICIANS:

|               |       |         |
|---------------|-------|---------|
| ELECTRICIAN   | 23.45 | 10.5%+a |
| CABLE SPLICER | 23.85 | 10.5%+a |

FOOTNOTE;

a. \$5.20 per hour.

Craft Group Name:

CABLE SPLICER

Craft/Rate Text Block: ELEC1426P 1 06/01/2001

Rates Fringes

BARNES, BENSON, CAVALIER, DICKEY, EDDY, FOSTER, GRIGGS, KIDDER, LAMOURE, LOGAN, MCINTOSH, NELSON, PEMBINA, RAMSEY, RANSOM, RICHLAND, SARGENT, STEELE, STUTSMAN, TOWNER, TRAILL, WALSH, & WELLS COUNTIES:

ELECTRICIANS:

|             |       |          |
|-------------|-------|----------|
| ELECTRICIAN | 20.30 | 5.20+12% |
|-------------|-------|----------|

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Craft Group Name:

PEO'S;Rural Counties;North Dakota;HEAVY;ND000029

Craft/Rate Text Block: ENGI9949B 1 11/01/2000

|         | Rates | Fringes |
|---------|-------|---------|
| GROUP 1 | 16.85 | 5.65    |
| GROUP 2 | 16.70 | 5.65    |
| GROUP 3 | 16.45 | 5.65    |
| GROUP 4 | 16.30 | 5.65    |
| GROUP 5 | 14.15 | 5.65    |

## POWER EQUIPMENT OPERATORS CLASSIFICATIONS

## GROUP 1:

All Terrain Vehicle Cranes 80 tons and over, Hydro Cranes, 80 tons and over, Crane Operator with 135' boom and over Gantry Crane Operator, & Travelling Tower Crane.

## GROUP 2:

All Terrain Vehicle Cranes over 20 tons and up to 80 tons, Hydro Cranes 20 tons up to 80 tons, Creter Crane, & Crane Operator up to 135' Boom.

## GROUP 3:

All Terrain Vehicle Cranes thru 20 tons, Hydro Cranes thru 20 tons, Tractor with boom attachment

## GROUP 4:

Push Tractor Roller

## Group 5:

Tractor pulling Compaction or Areatting Equipment

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Craft Group Name:

HEAVY CONSTRUCTION

Craft/Rate Text Block: SUND2009A 1 05/04/2000

|   | Rates | Fringes |
|---|-------|---------|
| CONCRETE FINISHER/CEMENT MASON                      | 14.37 | 3.67    |
| CARPENTER(Including Form building & Concrete Forms) | 13.98 |         |
| IRONWORKER REINFORCING                              | 17.03 |         |
| LABORERS:   |       |         |
| Common  | 9.96  |         |
| Pipelayers  | 10.48 |         |
| PAINTERS, BRUSH, SPRAY                              | 18.14 |         |
| POWER EQUIPMENT OPERATORS:                          |       |         |
| Backhoes  | 14.00 | 3.74    |
| Bobcat  | 12.82 | 2.35    |

|                       |       |      |
|-----------------------|-------|------|
| Bulldozer             | 14.06 | 4.00 |
| Excavator             | 12.05 |      |
| Front End Loader      | 13.15 | 3.17 |
| Mechanic              | 15.16 | 5.31 |
| Motor Grader          | 14.74 | 4.51 |
| Scraper               | 13.85 | 4.25 |
| Sheepsfoot            | 12.57 | 3.23 |
| Skidster              | 11.06 | 2.05 |
| Self Propelled Packer | 11.55 | 4.25 |

TRUCK DRIVERS:

|        |       |      |
|--------|-------|------|
| Dump   | 11.39 | 3.60 |
| Semi   | 11.52 | .23  |
| Tandem | 11.14 | 1.63 |

Craft Group Name:

Articulated Off Road Hauler;Heavy;Rural;ND;00;29

Craft/Rate Text Block: TEAM0082E 1 11/01/2001

|                             |       |         |
|-----------------------------|-------|---------|
|                             | Rates | Fringes |
| ARTICULATED OFF ROAD HAULER | 15.50 | 5.60    |

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

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 (29 CFR 5.5(a)(1)(v)).

In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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, D. C. 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, D. C. 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, D. C. 20210

4.) All decisions by the Administrative Review Board are final.  
END OF GENERAL DECISION