



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1229
GALVESTON, TEXAS 77553-1229

REPLY TO
ATTENTION OF

Contracting Division

30 Sep 2008

Weston Solutions, Inc.
Mr. Thomas Hoskings
5599 San Felipe, Ste 700
Houston, TX 77056

Dear Mr. Hoskings:

Reference your final revised proposal, dated 26 Sep 2008, in response to Indefinite Delivery/Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC) for Primary Border Fence, Brownsville, Texas, Map ID # O-17, O-18 and O-19, Request for Proposal No. RGVUR-08-R-0003.

Reference your proposal in the total evaluated price of \$30,429,230.00, including options, is accepted. Award is being made for the Base Bid Items in the amount of \$28,531,974.00 under W912BV-08-D-2012 Task Order DZ02.

You are hereby notified that Mr. Rafael Rubalcaba, Southwestern Regional Engineer, is appointed as Administrative Contracting Officer (ACO) and Mr. Pablo Hernandez, Area Engineer, is appointed Contracting Officer Representative (COR). A copy of their authority is enclosed.

Any questions relative to the contract documents or their manner of execution may be resolved by calling Mrs. Maria E. Rodriguez at (210) 221-4344 (temporary Ft Sam Houston).

Sincerely,


Linda M. Fredendall
Contracting Officer

Enclosures

1. Task Order DZ02
2. ACO Appointment
3. COR Appointment
4. Safety Letter



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
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GALVESTON, TEXAS 77553-1229

REPLY TO
ATTENTION OF

CESWG-CT

30 Sep 2008

MEMORANDUM FOR Mr. Pablo Hernandez, Area Engineer, USACE, Rio Grande Valley Field Office, 3605 West Alberta, Edinburg, TX 78539

SUBJECT: Designation of Contracting Officer's Representative (COR) for the following Construction of Primary Border Barrier Fence, Rio Grande Valley, Texas, MAP ID # O-17, O-18, and O-19.

1. Pursuant to DFARS 201.602-2 and AFARS 1.602-2-90, you are designated as the contracting officer's representative (COR) to provide Government approval of shop drawings on the following contract task order:

CONTRACT NUMBER: W912BV-08-D-2012, Task Order DZ02

For Primary Border Barrier Fence, Map ID # O-17, O-18 and O-19

Contractor: Weston Solutions, Inc., 5599 San Felipe, Suite 700, Houston, TX 77056

COMPLETION: for the duration of the task order

As the COR you are not empowered to award, agree to or sign any contract (including task/delivery orders) or contract modification or in any way to obligate the Government to the payment of money. Except as specifically directed by the contracting officer in separate instructions, you may not take any action which may affect contract or task/delivery order schedules, funds or scope. All contractual agreements, commitments or modifications that involve price, quantity, quality, delivery schedules or other terms and conditions of the contract shall be made by the contracting officer. You may be personally liable for your unauthorized personally liable for your unauthorized acts. You may not redelegate your COR authority.

This designation as a COR shall remain in effect throughout the life of the contract, unless sooner revoked in writing by the contracting officer or unless sooner revoked in writing by the contracting officer or unless you are separated from Government service. If you are to be reassigned or separated from Government service, you must notify the contracting officer sufficiently in advance of reassignment or separation to permit timely selection and designation of a successor COR. If your designation is revoked for any reason before completion of this contract, turn your records over to the successor COR or obtain disposition instructions from the contracting officer.

All personnel engaged in contracting and related activities shall conduct business dealings with industry in a manner above reproach in every aspect and shall protect the U.S. Government's

interest, as well as maintain its reputation for fair and equal dealings with all contractors. DOD 5500.7R, Joint Ethics Regulation, sets forth standards of conduct for all personnel directly and indirectly involved in contracting.

A COR who may have direct or indirect financial interests which would place the COR in a position where there is a conflict between the COR's private interests and the public interests of the United States shall advise the supervisor and the contracting officer of the conflict so that appropriate actions may be taken. COR's shall avoid the appearance of a conflict of interests to maintain public confidence in the U.S. Government's conduct of business with the private sector.

You are required to acknowledge receipt of this designation on the duplicate copy and return it to the contracting officer. Your signature also serves as certification that you have read and understand the contents of DOD 5500.7-R. The original copy of this designation should be retained for your file.



Linda M. Fredendall
Contracting Officer

CF: Mr. Thomas Hoskings (duplic)

Receipt Acknowledged for the Contractor:

By _____

Title _____

SUBJECT: Designation of Contracting Officer's Representative (COR) for the following Construction of Primary Border Barrier Fence, Brownsville, Texas, MAP ID # O-17, O-18, and O-19.

Receipt
Acknowledged _____

(Date)

Mr. Pablo Hernandez
Contracting Officer's Representative

ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF 13

1. CONTRACT/PURCH. ORDER/ AGREEMENT NO. W912BV-08-D-2012	2. DELIVERY ORDER/ CALL NO. DZ02	3. DATE OF ORDER/CALL (YYYYMMDD) 2008 Sep 30	4. REQ./PURCH. REQUEST NO. W45VAK82730175	5. PRIORITY
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6. ISSUED BY USAED, GALVESTON CONTRACTING DIVISION 2000 FORT POINT ROAD GALVESTON TX 77553-1229	CODE W912HY	7. ADMINISTERED BY (if other than 6) SEE ITEM 6	CODE	8. DELIVERY FOB <input checked="" type="checkbox"/> DESTINATION <input type="checkbox"/> OTHER (See Schedule if other)
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9. CONTRACTOR WESTON SOLUTIONS, INC NAME TOM HOSKINGS AND 5599 SAN FELIPE ST STE 700 ADDRESS HOUSTON TX 77056-2724	CODE OLYL6	FACILITY	10. DELIVER TO FOB POINT BY (Date) (YYYYMMDD) SEE SCHEDULE	11. MARK IF BUSINESS IS <input type="checkbox"/> SMALL <input type="checkbox"/> SMALL DISADVANTAGED <input type="checkbox"/> WOMEN-OWNED
			12. DISCOUNT TERMS	
13. MAIL INVOICES TO THE ADDRESS IN BLOCK See Item 15				

14. SHIP TO SEE SCHEDULE	CODE	15. PAYMENT WILL BE MADE BY USACE FINANCE CENTER ATTN: CEFC-AO-P 5722 INTEGRITY DRIVE MILLINGTON TN 38054-5005	CODE 964145	MARK ALL PACKAGES AND PAPERS WITH IDENTIFICATION NUMBERS IN BLOCKS 1 AND 2.
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16. TYPE OF ORDER	DELIVERY/ CALL	<input checked="" type="checkbox"/>	This delivery order/call is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract.
	PURCHASE	<input type="checkbox"/>	Reference your quote dated Furnish the following on terms specified herein. REF:

ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME.

NAME OF CONTRACTOR	SIGNATURE	TYPED NAME AND TITLE	DATE SIGNED (YYYYMMDD)
<input type="checkbox"/> If this box is marked, supplier must sign Acceptance and return the following number of copies:			

17. ACCOUNTING AND APPROPRIATION DATA/ LOCAL USE
See Schedule

18. ITEM NO.	19. SCHEDULE OF SUPPLIES/ SERVICES	20. QUANTITY ORDERED/ ACCEPTED*	21. UNIT	22. UNIT PRICE	23. AMOUNT
SEE SCHEDULE					

* If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and encircle.	24. UNITED STATES OF AMERICA TEL: 409 766 3852 EMAIL: Linda.M.Fredendall@usace.army.mil BY: LINDA M FREDENDALL	25. TOTAL	\$28,531,974.00
		26. DIFFERENCES	

27a. QUANTITY IN COLUMN 20 HAS BEEN
 INSPECTED RECEIVED ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED

b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	c. DATE (YYYYMMDD)	d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE
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e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE	28. SHIP NO.	29. DO VOUCHER NO.	30. INITIALS
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f. TELEPHONE NUMBER	g. E-MAIL ADDRESS	<input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	32. PAID BY	33. AMOUNT VERIFIED CORRECT FOR
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36. I certify this account is correct and proper for payment.				
a. DATE (YYYYMMDD)	b. SIGNATURE AND TITLE OF CERTIFYING OFFICER			
		31. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	34. CHECK NUMBER	
			35. BILL OF LADING NO.	

37. RECEIVED AT	38. RECEIVED BY	39. DATE RECEIVED (YYYYMMDD)	40. TOTAL CONTAINERS	41. S/R ACCOUNT NO.	42. S/R VOUCHER NO.
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Section B - Supplies or Services and Prices

AWARD NARRATIVE

AWARD SUMMARY

1. Award of this task order is for the Contract Line Item Numbers (CLINs) 0001 through 0016 in Request for Proposal No. RGVUR-08-R-0003, including Amendments 0010 through 0003 and related drawings and conditions set forth therein.
2. This Task Order for a total task order contract value of \$30,429,230.00, including Options 1-4, is hereby accepted. This Task Order is awarded for the Base Bid items in the amount of \$28,531,974.00.
3. Contractor is to provide all labor, material, and equipment necessary to perform all work in accordance with the RFP.
4. General Wage Decision No General Decision Number TX080029, dated 02-08-2008, is incorporated and made a material part of this Task Order
5. Contractor is to provide satisfactory Performance and Payment Bonds within 10 days and prior to starting work.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	MAP ID # O-17 FFP FOB: Destination PURCHASE REQUEST NUMBER: W45VAK82730175				

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AA	Installation of Approximately 1.61 Miles FFP of Pickett-Style Fence and All Components Necessary to Complete the Construction as Outlined in this Request for Proposal, Including Materials, Labor, and Equipment. Cost of Materials to be Government-Furnished shall be excluded. FOB: Destination	1	Lump Sum	\$7,752,086.00	\$7,752,086.00

NET AMT \$7,752,086.00

ACRN AD \$7,752,086.00
CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AB	Bond Premium	1	Lump Sum	\$164,179.00	\$164,179.00
	FFP				
	FOB: Destination				
	PURCHASE REQUEST NUMBER: W45VAK82730175				

NET AMT \$164,179.00

ACRN AD \$164,179.00
 CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002	Final As-Built Drawings O-17	1	Lump Sum	\$10,000.00	\$10,000.00
	FFP				
	FOB: Destination				
	PURCHASE REQUEST NUMBER: W45VAK82730175				

NET AMT \$10,000.00

ACRN AD \$10,000.00
 CIN: W45VAK827301750002

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003	Operation and Maintenance Manuals FFP FOB: Destination PURCHASE REQUEST NUMBER: W45VAK82730175	1	Lump Sum	\$2,692.00	\$2,692.00

NET AMT \$2,692.00

ACRN AD \$2,692.00
 CIN: W45VAK827301750003

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004	Construction Oversight FFP Costs associated with the Resident Engineer's Office and all equipment within that office as described within this RFP. FOB: Destination PURCHASE REQUEST NUMBER: W45VAK82730175	1	Lump Sum	\$14,970.00	\$14,970.00

NET AMT \$14,970.00

ACRN AE \$14,970.00
 CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0006	Final As- Built Drawings O-18 FFP FOB: Destination	1	Lump Sum	\$10,000.00	\$10,000.00

NET AMT	\$10,000.00
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ACRN AF	\$10,000.00
CIN: 00000000000000000000000000000000	

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0007	Operation and Maintenance Manuals FFP FOB: Destination	1	Lump Sum	\$2,692.00	\$2,692.00

NET AMT	\$2,692.00
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ACRN AF	\$2,692.00
CIN: 00000000000000000000000000000000	

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0008	MAP ID # O-19 FFP FOB: Destination				

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0009	Final As-Built Drawings O-19 FFP FOB: Destination	1	Lump Sum	\$10,000.00	\$10,000.00
NET AMT					\$10,000.00
ACRN AG					\$10,000.00
CIN: 00000000000000000000000000000000					

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0010	Operation and Maintenance Manuals FFP FOB: Destination	1		\$2,692.00	\$2,692.00
NET AMT					\$2,692.00
ACRN AG					\$2,692.00
CIN: 00000000000000000000000000000000					

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0011 OPTION	OPTION 1 MAP ID O-19 - Additional Fence FFP FOB: Destination				

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0011AA OPTION	OPTION 1 Installation of Approx. 0.43 FFP (Sta. 155+93.82 to Sta. 178+ 59.91) Miles of Pickett-Style Fence and All Components Necessary to Complete the Construction as Outlined in this Request for Proposal, Including Materials, Labor, and Equipment. Cost of Materials to be Government-Furnished shall be excluded. FOB: Destination	1		\$1,804,184.00	\$1,804,184.00

NET AMT \$1,804,184.00

ACRN \$0.00
CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0011AB OPTION	Bond Premium FFP FOB: Destination	1		\$37,572.00	\$37,572.00

NET AMT \$37,572.00

ACRN \$0.00
CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0012 OPTION	Final As-Built Drawings O-19 Add. Fence FFP FOB: Destination	1		\$10,000.00	\$10,000.00

NET AMT \$10,000.00

ACRN \$0.00
CIN: 00000000000000000000000000000000

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0016 OPTION	OPTION 4 MAP ID O-19 Storage Area FFP FOB: Destination	3	Months	\$5,000.00	\$15,000.00
				NET AMT	\$15,000.00
ACRN					\$0.00
CIN: 00000000000000000000000000000000					

Section G - Contract Administration Data

ACCOUNTING AND APPROPRIATION DATA

AD: 96 NA X 3122.0000 M3 X 08 2456 099993 96413 3230 KHC529
AMOUNT: \$7,928,957.00
CIN 00000000000000000000000000000000: \$7,916,265.00
CIN W45VAK827301750002: \$10,000.00
CIN W45VAK827301750003: \$2,692.00

AE: 96 NA X 3122.0000 M3 08 2456 099993 96413 3230 7741KF
AMOUNT: \$14,970.00
CIN 00000000000000000000000000000000: \$14,970.00

AF: 96 NA X 3122.0000 M3 X 08 2456 099993 96413 3230 72LHB7
AMOUNT: \$8,308,808.00
CIN 00000000000000000000000000000000: \$8,308,808.00

AG: 96 NA X 3122.0000 M3 X 08 2456 099993 96413 3230 384JGB
AMOUNT: \$12,279,239.00
CIN 00000000000000000000000000000000: \$12,279,239.00