

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
Facilities Design & Construction Center

5505 Robin Hood Rd., Suite K
Norfolk, VA 23513-2431
Staff Symbol:
Phone: (757) 852-3400
FAX: (757) 852-3495

4200
Ser. No: 0019K
November 16, 2009

Tesoro Corporation
Attn: Mr. Dennis Gilbert
5250 Challedon Drive
Virginia Beach, VA 23462

Dear Mr. Gilbert:

The Coast Guard intends to award the Design/Build Project 08-M05106 "Design and Construct an Armory Training Building at Sector Field Office (SFO) Galveston, Texas" as a task order under one of our two current indefinite quantity (IDIQ) award term design/build construction contracts. We do, however, reserve our right to make award by other means.

Our selection will be based on price competition. The enclosed General Requirements, Specifications, Drawings and Wage Decision No. TX20070010 dated 10/09/09 are forwarded for your use in preparing your proposal. Please provide a complete cost breakdown (labor, materials, equipment, subcontractor cost breakdowns, and mark-ups) no later than 4:00 PM on December 17, 2009. Proposals received after the time and date specified will be deemed late and not considered for award.

If you should have any questions, please contact the Contract Specialist, Sarah Rall, at (757) 852-3407 or the undersigned at (757) 852-3415.

Sincerely,

A handwritten signature in black ink that reads "Cheryl P. Allen".
CHERYL P. ALLEN
Contracting Officer

4 Enclosures

NOTICE FOR FILING AGENCY PROTESTS

It is the policy of the Coast Guard to issue solicitations and make contract awards in a fair and timely manner. The Ombudsman Program for Agency Protests (OPAP) was established to investigate agency protest issues and resolve them without expensive and time-consuming litigation. OPAP is an independent reviewing authority that is empowered to grant a prevailing protester essentially the same relief as the General Accounting Office (GAO).

Interested parties are encouraged to seek resolution of their concerns within the Coast Guard as an Alternative Dispute Resolution (ADR) forum, rather than filing a protest with the GAO or some external forum. Interested parties may seek resolution of their concerns **informally** or opt to file a **formal** agency protest with the contracting officer or Ombudsman.

Informal forum with the Ombudsman. Interested parties who believe that a Coast Guard procurement is unfair or otherwise defective should first direct their concerns to the cognizant contracting officer. If the contracting officer is unable to satisfy the concerns, the interested party is encouraged to contact the Coast Guard Ombudsman for Agency Protests. Under this informal process, the agency is not required to suspend contract award performance. Use of an informal forum does not suspend any time requirement for filing a protest with the agency or other forum. In order to ensure a timely response, interested parties should provide the following information to the Ombudsman: solicitation/contract number, contracting office, contracting officer, and solicitation closing date (if applicable).

Formal Agency Protest with the Ombudsman. Prior to submitting a formal agency protest, protesters must first use their best efforts to resolve their concerns with the contracting officer through open and frank discussions. If the protester's concerns are unresolved, an independent review is available by the Ombudsman. The protester may file a formal agency protest to either the contracting officer or as an alternative to that, the Ombudsman under the OPAP program. Contract award or performance will be suspended during the protest period unless contract award or performance is justified, in writing, for urgent and compelling reasons or is determined in writing to be in the best interest of the Government. The agency's goal is to resolve protests in less than 35 calendar days from the date of filing. Protests shall include the information set forth at FAR 33.103(d)(2). If the protester fails to submit the required information, resolution of the protest may be delayed or the protest may be dismissed. This will not preclude re-filing of the protest to meet the requirement. To be timely, protests must be filed within the period specified in FAR 33.103(e). **Formal** protests filed under the OPAP program should be forwarded to the address below:

Commandant (G-A)
U.S. Coast Guard Headquarters
Acquisition Planning and Performance Measurement
1900 Half St. SW, JR11-0203
Washington, DC 20593
Telephone: (202) 372-3695
Fax: (202) 475-3904