

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

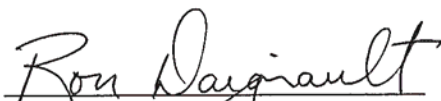
For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 01, Providence VA Medical Center, 830 Chalkstone Avenue, Providence, RI 02908. Project Number 650-11-101.
2. **Nature and/or Description of the Action Being Processed:** Acquiring the services of the A/E firm Dewberry Engineers, Inc. to provide Architectural Engineering Construction Period Type "C" Services in conjunction with their previously prepared construction documents for PVAMC Project Number 650-11-101, Renovate Outpatient Mental Health Clinic Wing 3B.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Construction period services from the Design Engineer of Record to include the following: (1) Respond to questions received from the construction solicitation promptly; (2) Review and approve submittals from the construction contractor; (3) Respond to inquiries (RFIs) and requests for clarification during the construction of the project; (4) Prepare supplementary construction documents and cost estimates for any construction modification or change order required; (5) Make periodic visits to the project site during construction, when requested by the VA, and provide written reports; (6) Conduct a final inspection of the substantially completed project; and (7) Provide record drawings of the completed construction project.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - () (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Dewberry is the original and awarded architectural firm who provided their professional services to include design development, construction documents, specification, cost estimates and pricing for future construction period services based on the award dated 1/26/2011 they received to perform this work which they furnished for Project Number 650-11-101, Renovate Outpatient Mental Health Clinic Wing 3B. The documents are currently being used for the solicitation and will be utilized for the award phase of the construction contract to accomplish the work. The intent of this Sole Source Procurement is to have the original architect who prepared the plans and specifications provide and oversee the construction period Type C Services. These services will include direction from Dewberry for their existing knowledge to interpret and make decisions on the intent for the

requirements of this project. The original plans and specifications are the property of Dewberry and would cost the Government additional funds to have another A-E firm engage in modifying the existing documents created for this project. Dewberry reached their monetary limit under the current VISN A-E IDIQ contract and is no longer eligible for Task Orders under the current IDIQ contract. It is in the best interest of the Government to utilize the same A/E firm who designed the project for construction period services to not incur additional expenses and fees.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** It is not advantageous to the Government to seek multiple potential sources with consideration for the original documents and the work associated with construction period services that were created by Dewberry. Additional expenses would have to be incurred by the Government for another A/E firm to make modifications to these documents and provide construction period services for the duration of the project.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost will be reviewed and evaluated by the Contracting Officer Representative to accurately verify fairness and reasonability regarding prices for hours, rates for disciplines and site visits. A price negotiation memo will be included in the Contract File by the Contracting Officer to support the final and accepted awarded price for Construction Period Services. Prices will also be compared with the IGCE to determine what is fair and reasonable to the Government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted since the Government accepted the final documents associated with the project from Dewberry. The past historical documents from Dewberry are being currently being used to execute the solicitation and make the award for the construction phase. The existing documents cannot be successfully modified by another A/E firm without incurring additional expenses.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Type C Services during the construction phase of the project are primarily provided by the same A/E who designed and developed the original plans and specifications maintaining the data base for the knowledge, familiarity and skill set working with the project from the developmental stage. Dewberry maintains past historical information and the documents to support the Type C Services needed for this project which allows the Government to stay within the limits of the supported funding planned for this project.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See paragraph 6 above.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** See paragraph 6 above.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Name: Ron Daignault
Title: Project Engineer
Facility: PVAMC

22 July 2014
Date

13. Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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Digitally signed by
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Date: 2014.07.23 07:28:16 -04'00'

July 23, 2014

Name: Sandra Mosca
Title: Contracting Officer
Facility: PVAMC

Date

- b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. *This signature may be the VISN NCM if the Contracting Officer and Contracting Supervisor is the same individual.

marykay.chapman@va.gov
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Name: Mary Kay Chapman
Title: Supervisory Contracting Officer
Facility: VA Manchester, NH

Date