

JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1
(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements *explaining the absence of competition* (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. PURCHASE REQUEST OR REQUISITION NUMBER:

630-15-1-7901-0004

**1A. PROJECT/TASK
NUMBER**

630-09-115

1B. ESTIMATED AMOUNT:

\$85,537.53

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

Provide Architectural and Engineering (A/E) construction period services for project HVAC Replacement Phase IV (630-09-115) at the VA Medical Center, 423 East 23rd Street, New York, NY 10010.

Construction Period Services: A/E shall include, but not be limited to the following construction services.

1. Familiarize with existing building construction site, scope of work, design drawings and specifications.
2. Provide site visits, inspections, observations, attend meeting and consultation. Each site visit and meeting, AE must provide report and minute of meeting.
3. Review shop drawing and submittals for acceptance.
4. Respond to RFI, prepare supplemental documentation and / or revise contract documents.
5. A/E shall provide a record (As-Built) drawing in Mylar and design revisions within the original scope of work with extra copies as required by COTR.
6. Provide a certify industrial hygienist to perform Task 6 through 9 according to the "Special Instructions-Asbestos Abatement" and Lead Abatement documents.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

On October 10, 2014, VA awarded a construction contract for Project No. 630-09-115, HVAC Replacement Phase IV based on Construction Documents prepared by URS Group, Inc. The Award Notice was received by the contractor on October 10, 2014. The original contract completion date was 365 days from Notice to Proceed. Construction has not been started because on September 30, 2014, the appropriation associated with the architected-engineer task order with URS Group, Inc had expired and cancelled leaving no contract for Construction Period Services and Post-Construction Services. A procurement package was submitted through eCMS Planning Module and an electronic form 2237 has been entered and approved for this project. The contract should be on sole source basis on URS Group, Inc for the following reasons:

- a. The Statement of Work requires the Architect-Engineer (A/E) to act in an advisory and consultant capacity to the Contracting Officer. The A/E, when requested, shall assist the Contracting Officer and his/her Resident Engineer to interpret the Construction Documents and shall recommend any actions he seems suitable for the satisfactory prosecution of the construction work; prepare any supplemental drawings, specifications or other documents that may be required to clarify or supplement the Construction Documents; and assess the preparation of Construction Contract Modifications initiated by or through VA to be executed in accordance with the Construction Documents.
- b. The Statement of Work requires the A/E to check Government furnished and/or the Construction Contractor's shop

drawings, detail drawings, schedules, descriptive literature and samples, testing laboratory reports, field test data and review the color, texture and suitability of materials for conformity with the design concept and Construction Documents. The A/E shall recommend approval, disapproval, or other suitable disposition. The A/E shall notify the Resident Engineer in writing of any and all deviations from the requirements of the Construction Documents that he/she has found in the Construction Contractor's submittals. During the Construction Period, the A/E shall make visits to the Project site. The A/E shall observe the construction and advise the Resident Engineer of any deviations or deficiencies.

- c. The Statement of Work requires the A/E, for a period of one (1) year after final payment, to furnish advisory or consulting services, which are normal to such a professional contract and necessary to assure the proper functioning of elements of the A/E design.
- d. **URS Group, Inc. prepared the Construction Documents for Project No. 630-09-115, HVAC Replacement Phase IV under Contract No. V10N3P-2754 and has unique capabilities to provide the unique services required under this contract. Specifically, URS Group, Inc has the unique capabilities to interpret the Construction Documents; to prepare any supplemental drawings, specifications or other documents that may be required to clarify or supplement the Construction Documents. In summary, URS Group, Inc will be the only source for these unique services and no other supplies or services will satisfy agency requirements.**

4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:

Given that it would be highly unusual for another design professional to take on the aforementioned responsibilities, which are generally incidental to an overall agreement for preparation of plans and specifications, it was determined that soliciting from additional sources it would not be practicable.

5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

Market research was not conducted because, for the reasons stated above, there is only one responsible source and no other supplies or services will satisfy agency requirements.

6. Contracting Officer's Certification: *Purchase is approved in accordance with FAR 13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: _____

Date: 04/09/2015

Name: Sharon Pierce

Title: Contracting Officer

Facility: VAMC Bronx, NY