

Department of Veterans Affairs

Justification and Approval for Other than Full and Open Competition

6.302-1 -- Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements

and

6.302-2 -- Unusual and Compelling Urgency.

1. Identification of the Contracting Activity and the Requiring Agency: Construction and Facilities Management (CFM) – Eastern Region, Silver Spring, MD.

2. Nature/Description of Action: The Department of Veterans Affairs, Construction & Facilities Management proposes to increase the capacity of contract VA101CFM-P-0150, entitled “Eastern Region Architect-Engineer Services Indefinite Delivery/Indefinite Quantity (AE IDIQ)” with HDR Architecture from \$15,000,000.00 to 15,500,000.00 by modification P00006 for use on the supplemental funding Hurricane Sandy Recovery project at Veteran Affairs Medical Center Manhattan Campus, New York.

3. Description of Supplies and Services:

AE Services for the VA Manhattan Medical Center, NY.

Due to coordination issues, differing site conditions, and sequencing problems CFM is in need of additional design and consulting services from HDR in order to properly deliver the above listed construction and renovation projects. The estimated price to complete all work with HDR Architecture as the Designer of Record is \$500,000.00. There will be no change in the period of performance of the AE IDIQ contract.

4. Authority Cited: The statutory authority for this action is FAR 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements and FAR 6.302-2, Unusual and Compelling Urgency

5. Reason for Authority Cited: FAR 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements is cited because there are ongoing projects in support of the Hurricane Sandy recovery for the VAMC Manhattan Campus which requires the services of the Designer of Record, HDR Architecture. The ongoing projects include Ground Floor Phase 1B, Ground Floor Phase 2A, Ground Floor Phase 2B, and the Flood Perimeter Wall. All four (4) projects were designed by HDR Architecture utilizing task orders issued against this AE IDIQ contract.

FAR 6.302-2, Unusual and Compelling Urgency is cited because CFM is currently experiencing delays on the progress of this project and needs to obtain HDR’s services as soon as possible. Further delays will continue to increase costs and schedule beyond a recoverable level.

It is projected that the additional design and consulting services can be accomplished for an estimated value of \$500,000.00.

6. Efforts to Obtain Competition: The current AE IDIQ contract with HDR Architecture was part of a previous competition. When the VAMC Manhattan Campus was damaged due to Hurricane Sandy, the immediate need to begin design of the renovations necessary to protect the medical center from a future event led to the determination to use the Eastern Regions AE IDIQ contractors to complete the work. HDR is the Designer of Record for the Ground Floor Phase 1B, Ground Floor Phase 2A, Ground

Floor Phase 2B, and the Flood Perimeter Wall project at VAMC Manhattan Campus. No other contractor can satisfy this requirement.

7. Determination of Fair and Reasonable Price: The current AE IDIQ contract has negotiated labor rates already apart of the contract.

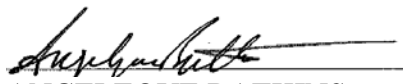
8. Market Research: HDR is the Designer of Record for the Ground Floor Phase 1B, Ground Floor Phase 2A, Ground Floor Phase 2B, and the Flood Perimeter Wall project at VAMC Manhattan Campus. No other contractor can satisfy this requirement.

9. Other Facts: Under FAR 6.302-1, having another firm take on any liability for the design of the above mentioned projects could be at a cost to the Government as small as a few \$100,000 due to duplication of costs, liability and risk, but could be as high as a few \$1,000,000 if an adverse event occurs creating difficulty in determining responsibility for the design. Additionally, increasing the ceiling of the current AE IDIQ contract would save the Government approximately \$40,000 in place of doing a separate follow on contract. Under FAR 6.302-2, the estimated costs of any more delay is approximately \$500,000 due to the General Condition costs of the General Contractors currently working.

10. Interested Sources: None

11. A Statement of the Actions, if any, the Agency May Take to remove or Overcome Any Barriers to Competition before Any Subsequent Acquisition is required: N/A

12. After a full review and consideration of the all the options discussed above herein, increasing the capacity is the only logical, reasonable, and supportable option. It is unquestionably in the best interest of the government to increase the capacity of the HDR Architecture A/E contract. Any other option would result in increased costs and further delay of the project. Accordingly, it is imperative that HDR complete the design of the above projects and provide the consulting services required of CFM to successfully complete these projects. As the Contracting Officer for this action, I certify that this justification is accurate and complete to the best of my knowledge and belief.


ANGELEQUE BATKINS
Contracting Officer