

DETERMINATION AND FINDINGS

Justification for an Exception to Fair Opportunity FAR 16.505(b)(2)(i)(C)

Additional Construction Period Services for Ground Floor Phase 1B at the VAMC Manhattan, NY


Contract: VA101F-13-D-0002 – Task Order VA101F-17-J-2951

FINDINGS

1. The Department of Veterans Affairs, Office of Construction and Facilities Management, Eastern Region Office has a requirement for additional Construction Period Services under Smith Group + URS contract VA101F-13-D-0002 for the construction contract of the Ground Floor Phase 1B, VAMC Manhattan, NY. This is a firm fixed price task order. The requirement value is \$221,350.00.
2. This Determination is in accordance to the specific exception that precludes the fair opportunity process for this acquisition, Far Part 16.505(b)(2)(i)(C). Exception states, “The order must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order”.
 - In support of Hurricane Sandy Recovery efforts, an original task order (VA101F-15-J-0342) was issued for CPS services for Ground Floor Phase 1B. The original order was issued under this same contract, and all available awardees were given a fair opportunity to be considered for the original order.
 - The original task order has reached its 18 month time limit and the construction contract is still not completed.
 - This task order is being issued to continue CPS services
3. The prices included in the contractor’s proposal are consistent with the hourly rates included in the firm’s original IDIQ contract which has been determined to be fair and reasonable.
4. Based on our historical data, each firm will continue to have fair opportunity for the remaining IDIQ contract option year for other requirements within CFM.

DETERMINATION

The following determinations have been made based on the requirements and the need to continue construction period services expeditiously. The Contracting Officer below certifies that this justification is accurate and complete to the best of the contracting officer’s knowledge and belief.


Angeleque Batkins
Contracting Officer

April 4, 2017
Date