



**DEPARTMENT OF VETERANS AFFAIRS**  
Office of Construction and Facilities Management  
425 I Street NW  
Washington, DC, 20001

**Justification and Approval For  
Other than Full and Open Competition**

**1. Contracting Activity:**

Department of Veterans Affairs (VA), Office of Construction and Facilities Management (CFM), Office of Facilities Acquisition (OFA), located at 425 I Street NW, Washington, DC, 20001.

**2. Description of the Action Being Approved:**

The Washington Crossing National Cemetery Administration (NCA) is requiring services to relocate and move a one-story Log House that was constructed between 1795 and 1801 by Samuel Merrick, and is considered a historic building. Pennsylvania State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP) has established the requirements that the mover must follow to ensure the historic and architectural values of the property are preserved. The Merrick Log House will be moved across Washington Crossing National Cemetery property and place it adjacent to the John and Timothy Scott Farm. In addition, the Wagon Shed located at John and Timothy Scott Farm will require stabilization to the existing historic building and minor foundation repairs. [REDACTED]

A new contract firm fixed-price is planned for this one-time construction procurement. This procurement is conducted in accordance with FAR 15 Contracting by Negotiation, FAR Subpart 19.1406 Sole Source Awards to Service Disabled Veteran Owned Small Business (SDVOSB) concerns.

**3. Description of Supplies/Services:**

The Merrick Log House is currently located within the Washington Crossing National Cemetery. The Merrick Log House dates back to 1795 and is one of only two remaining log structures in the Upper Makefield Township. This house was determined eligible for listing in the National Register of Historic Places in December 2008, under Criterion D for its potential to yield information about materials, usage, construction practices and dwelling forms of early cultural groups of Bucks County. The period of significance corresponds to the dwelling's date of construction, ca. 1800. The structure is in weak condition; and it is critical that the responsible moving party must have experience moving aged and weak structures. In 1990, the house was identified as one of only two log houses in Upper Makefield Township as part of a countywide historic resources survey. At that time the Samuel Merrick Log House was described as having the better integrity of the two buildings. The current configuration of the structure developed over the period of 1800 to 1940. In 1870, a Wagon Shed was added. In the 1920s a four bay, one room deep, frame shed addition was added to the west elevation. In the 1930s, a three bay, one room deep frame shed addition was added to the south (rear) elevation. In the 1940s a hip roof addition was added to the southwest corner, connecting the two shed additions. The structure is vacant

and is not currently associated with any use. VA NCA has mothballed the house to protect it from damage and deterioration.

**4. Statutory Authority Permitting Other than Full and Open Competition:**

The statutory authority permitting other than full and open competition is 41 U.S.C. 3304(a)(5) as implemented by the Federal Acquisition Regulation (FAR) 6.302-5(b)(6)), "Sole source awards under the Veterans Benefits Act of 2003 (15 U.S.C. 657f)."

**5. Rationale Justifying Use of Cited Statutory Authority:**

The Contracting Officer determined that non-competitive Sole Source acquisition IAW Veterans Benefits Act of 2003 (15 U.S.C. 657f), FAR 19.1406 and VAAR 819.7007 is the best alternative to the Government. The Contracting Officer determined that Alares Construction Inc. is an SDVOSB registered firm in [www.vetbiz.gov](http://www.vetbiz.gov) and [www.SAM.gov](http://www.SAM.gov) that has expressed interest in project and has the expertise and a full understanding of the requirement, which represents the best interest of the Government.

**6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable:**

Sources Sought Notice 36C10F18Q0580 was posted on February 1, 2018 as a source sought titled "TO MOVE A HISTORIC PROPERTY MERRICK LOG HOUSE". Only one response was received from a Alares Construction Inc. with Wolfe House & Building Movers as subcontractors. Alares Inc is a SDVOSB. Same Notice was reposted on March 9, 2018 as a Special Notice titled: "TO MOVE A HISTORIC PROPERTY MERRICK LOG HOUSE LOCATED AT WASHINGTON CROSSING, PA". In this notice, the following language was included "The site visit will be held on March 22, 2018, at 12:45 PM at Washing Crossing. Contact Maina Gakure, at [maina.gakure@va.gov](mailto:maina.gakure@va.gov) if you plan to attend". Only Alares Construction Inc. with Wolfe House & Building Movers company showed up for the site visit.

As indicated above, a Sources Sought Notice was posted on FBO.Gov website for over 30 days and only one company responded. Further, the Contracting Officer distributed the sources sought documents to over 143 SDVOSB vendors listed on VIP database. This effort revealed that one (1) Service-Disabled Veteran-Owned Small Business (Alares Construction Inc.) had interest in this requirement.

**7. Determination of Fair and Reasonable Cost:**

The Contracting Officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable utilizing FAR Part 15 procedures and comparison with Independent Government Estimated (IGE).

**8. Market Research:**

Market Research was conducted in accordance with FAR 10.002 to assure the most suitable approach to acquiring the required services. CFM posted Sources Sough Notice 36C10F18Q0580 with no set-aside requirements on Federal Businesses Opportunities (FBO, [www.fbo.gov](http://www.fbo.gov)) website on February 1, 2018, with a closing date of February 13, 2018. Only Alares Construction Inc., an SDVOSB firm, responded to the Source Sought Notice by providing a capability statement. Additionally, on March 09, 2018, Special Notice 36C10F18Q0580 was posted on FBO website, publicizing a Site Visit for March 22,

2018 at 12:45 PM, inviting any potential source to visit the site and gain a better understanding of the project. Again, only Alares Construction Inc. with Wolfe House & Building Movers as subcontractor attended the site visit. Further, the Contracting Officer distributed the Source Sought Notice via emails to the Points of Contact listed in vetbiz.gov database for all SDVOSBs and VOSBs identified on March 15, 2018. No responses were received.

**9. Any Other Facts Supporting this Justification:**

The Merrick Log House dates from 1795 and is one of only two remaining log structures in the Township. This house was determined eligible for listing in the National Register of Historic Places in December 2008 under Criterion D for its potential to yield information about materials, usage, construction practices and dwelling forms of early cultural groups of Bucks County. The period of significance corresponds to the dwelling's date of construction, ca. 1800. The structure is in weak condition; and it is critical that the responsible moving party must have experience moving aged and weak structures.

**10. Technical and Requirements Certification:**

I certify that this requirement meets the Government's requirements need and that the supporting data, which forms a basis for this justification, is accurate and complete.

[REDACTED]

**11. Determination of Best Value:**

I hereby determine that the anticipated price to the Government for this contract action will be determined fair and reasonable based FAR Subpart 15.404-1(b)(2)(v), comparison to IGE.

[REDACTED]

[REDACTED]

Signatures on File.