

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN
COMPETITION**

**ARCHITECTURAL/ENGINEERING AND DESIGN SERVICES FOR
P588-FULLER ROAD IMPROVEMENTS, QUANTICO, VA**

**REQUEST AUTHORITY TO AWARD WITHOUT FULL AND OPEN
COMPETITION BASED ON ONLY ONE RESPONSIBLE SOURCE AND NO
OTHER SUPPLIES OR SERVICES WILL SATISFY AGENCY REQUIREMENTS**

1. AGENCY IDENTIFICATION:

The agency is the United States Navy. The contracting activity is the Naval Facilities Engineering Command Washington, Washington Navy Yard, Washington, DC, 20374.

2. NATURE AND DESCRIPTION OF THE ACTION BEING APPROVED:

In accordance with FAR 6.302-1, "One Responsible Source/No Other Supplies or Services will satisfy agency requirements", request authority to increase the IDQ contract value by \$500,000, for a new total of \$8,000,000, under the current Miscellaneous Civil/Structural Design and Engineering Services IDIQ held by Whitney, Bailey, Cox & Magnani, LLP (WBCM).

The reason for this increase is to award a task order modification to WBCM to provide Design Bid Build plans and specifications for incorporation of a dedicated right hand turn lane from Route 1 onto Fuller Rd which will include relocation of the Iwo Jima Monument Plaza. The full project scope for MILCON P-588, Fuller Road Improvements, includes the necessary turn lane and monument relocation; however, NAVFAC Washington inadvertently omitted these elements from the design requirements in its original task order. The turn lane design must be fully integrated into the design for the Fuller Road improvement project.

**3. DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED
TO MEET THE AGENCY'S NEEDS:**

As described above, additional design effort is needed to provide for the full scope in improvements of this roadway. The A&E firm will provide topographic, utility and existing condition surveys of the turn lane site, a geotechnical investigation, pavement section design and design packages for the turn lane and monument relocation. The A&E firm will also obtain design approval from VDOT and Prince William County and provide necessary A&E post construction award services.

**4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING
OTHER THAN FULL AND OPEN COMPETITION:**

It is requested that other than full and open competition be permitted pursuant to 10 U.S.C. 2304(c)(1), "One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements. For DOD, services may be deemed to be available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services when it is likely that award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition or unacceptable delays in fulfilling the agency's requirements."

5. DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED:

WBCM is currently performing the pre-award design (per Contract #N40080-11-D-0497-0037) of the P588 Fuller Road Improvements (design bid build), which is to be solicited as a stand-alone contract to a construction contractor. The design effort thus far is at 65% with the 100% design package scheduled for delivery mid-March. WBCM is already familiar with the overall design for the Fuller Road improvements, has performed preliminary work with the footprint of the right turn lane and memorial, and has established relationships with both internal (Base) and external (Utility Providers & VDOT) stakeholders on behalf of this effort. Awarding the turn lane design to a different A&E firm would result in duplicate site investigations and additional effort to integrate their design into WBCM's existing design for Fuller Road. This effort will result in increased costs for labor hours that are not expected to be recovered through competition. Additionally, with WBCM presently under contract to provide full design services (design bid build/plans & specs) for P588 Fuller Road Improvements, the opportunity presents itself for the additional work to be expedited so it can be included as part of the construction award planned for July 2015.

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE INCLUDING WHETHER A NOTICE WAS OR WILL BE PUBLICIZED AS REQUIRED BY SUBPART 5.2 AND IF NOT WHICH EXCEPTION UNDER 5.202 APPLIES

This action is being executed against an existing IDIQ contract. The Miscellaneous Civil/Structural Design and Engineering Services IDIQ was competed on a full and open basis, as will the follow-on IDIQ contract. In accordance with FAR 5.203, a notice to industry will be publicized on www.neco.navy.mil.

7. A DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

An Independent Government Estimate was developed taking into consideration current market conditions and will be utilized in establishing a fair and reasonable price. Negotiations will focus mainly on level of effort as the A&E's hourly rates were

established at the award of the basic IDIQ contract.

8. A DESCRIPTION OF THE MARKET RESEARCH:

No additional market research was conducted because use of the onboard AE (WBCM) is considered the only practical approach, as discussed in Part 5 above, to accomplishing design objectives in a timely manner.

9. OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION:

None.

10. LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION:

None.

11. STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME BARRIERS TO COMPETITION BEFORE SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED:

Due to the nature of the work to be performed, competition would not be in the best interest of the Government to meet the mission of Marine Corps Base Quantico, Quantico, VA. The agency recognizes the barriers to competition and continuously promotes industry interests for all of the construction projects, any additional special trade requirements will be synopsisized in accordance with FAR Part 5.