

## JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

**1. Agency/Contracting Activity:** Department of the Navy, Naval Facilities Engineering Command, Southeast

### 2. Description of Action:

Nature:  New Requirement  Follow-on Order  
 Existing Order Number N62470-13-D-6022-0003

Order against: Multiple Award ID/IQ Contract Number: N62470-13-D-6022

Pricing:  Firm-Fixed Price  Time & Materials  Cost Type

Funds:  OMA  Other Funds: \_\_\_\_\_

### 3. Description of Supplies or Services:

The estimated value of the proposed action is NTE \$650,000.00

The initial task order N62470-12-R-5010 X0005 was procured competitively. The solicitation was issued to all 4 Global Contingency Construction MAC contractor awardees of the IDIQ. Four (4) offers were received, and URS was selected as the successful offeror.

The initial task order required a 3 person planning management team, located at the contractor's facility, to provide planning support to NAVFAC SE Operations and Contingency Engineering Staff to plan for recovery work associated with disaster recovery operations at NAVY UNDERSEA Warfare Center Detachment Atlantic Undersea Test and Evaluation Center (NAVUNSEAWARCEN DET AUTECH) at Andros Island Bahamas due to Hurricane Matthew. The management team discussed the damage assessment conducted by NAVFAC-SE and provided recommendations on the approach to repair effort, resource needed and likely restrictions to courses of actions identified.

- Awarded Task Order: N62470-13-D-6022 0003, Amount: \$1.03 (issued as Firm Fixed Price)
- URS Group, Inc, 1600 Perimeter Park Dr., Suite 400, Morrisville, NC 27560

#### The scope of work for the logical follow on project is as follows:

This task order will provide for the planning and repair of damaged facilities and equipment effected by Hurricane Matthew at NAVY UNDERSEA Warfare Center Detachment Atlantic Undersea Test and Evaluation Center (NAVUNSEAWARCEN DET AUTECH).

The contractor shall deploy a 3-person planning management team to NAVUNSEAWARCEN DET AUTECH, Andros Island to work with NAVFAC SE Operations and Contingency Engineering staff to plan and execute the recovery work associated with disaster recovery operations. It is anticipated the 3-person planning team will be at AUTECH Compound for 1-2 days to coordinate with the NAVFAC-SE damage assessment team. Immediately following this coordination, the Contractor shall complete repair efforts, as directed. Repairs include, but are not limited to:

**Repair of damaged facilities for stabilization and mission operation**

Number of facilities requiring repair and extent of required repairs is not definitive at this time. All teams should be prepared to provide required equipment, and operation and maintenance of equipment, and be self-supporting in the field. Requirements will be further defined with NAVFAC SE.

Eliminate moisture penetration to the interior of specified facilities from the exterior environment. If the facility exhibits minor roof damage that can be repaired before the next forecast precipitation, the contractor may be directed by the Government to fix to full repair. If extensive, labor-intensive roof damage exists that cannot be repaired quickly, the contractor may be directed to utilize more expedient repairs as appropriate to roof types, i.e. tarp, plywood, hot mop to prevent further damage and then, as directed by the Government, conduct follow-on full roof repair.

All damaged exterior windows and doors that cannot be shut shall be removed and openings sealed with plywood and appropriate weatherproofing, maintaining a minimum of two entries that can be operated.

Be prepared to remove and dispose of all damaged building material from the interiors of designated facilities, including but not limited to drywall, carpet, and ceiling tile.

Be prepared to dry out all remaining building interior materials including, but not limited to, salvageable carpet, walls, and fixtures. Be prepared to dehumidify the interior atmosphere of designated facilities in order to prevent mold and bacterial growth.

Below is an initial assessment of damages identified by the NAVFAC-SE team and provides the order of precedence of work to be performed. This is not an all-inclusive list of buildings or needed repairs due to on-going assessments in the affected area.

**Priority 1 – Dental Clinic (BLDG 1206)**

- Major Roof Repairs

**Priority 2 – Reverse Osmosis (RO) Plant (BLDG 1537P)**

- RO Pump motor replacement
  - o 10HP
  - o 460 Volt
  - o 60Hz
  - o 3510 RPM
  - o 12.3 Amps
- RO Raw Water Pump Discharge Manifold piping repairs
  - PVC 1, Schedule 80, 2.5 inch pump discharge
  - PVC 1, Schedule 80, 4 inch Header

**Priority 3 – Network Operations Center (BLDG 1701)**

- Security Level 2 facility. Escort required
- Demolition as required
- Major Roof repairs with asbestos abatement
- Major Structural repairs

**Priority 4 - Range Support Shop with Cranes (BLDG 1602)**

**Rationale/explanation to support cited authority:**

The appropriate authority for this action is Federal Acquisition Regulations (FAR) Subsection 16.505(b)(2)(i)(A) and (C) allows for exception to fair opportunity in circumstances where (A) the agency needs are so urgent that providing a fair opportunity would result in unacceptable delays or (C) an 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.

Pursuant to FAR Subsection 16.505 (b)(2)(i) (C), this task order will be issued on a sole-source basis as a logical follow on and in the interest of economy and efficiency. The nature of the requirement is such that it is considered integral and supplemental work to task order N62470-13-D-6022-0003. All GCC MAC awardees were provided fair opportunity in consideration for that original order.

**LOGICAL FOLLOW-ON:**

This work is a natural progression of the work now under contract. The original task order was competed to provide for planning efforts for Hurricane Matthew recovery for AUTECH site on Andros Island Bahamas.

By utilizing the logical follow on approach, NAVFAC would retain a technically qualified contractor throughout all phases of the project requirements. The current contractor is performing successfully on the existing order, and has gained significant knowledge through the initial planning process. This knowledge will be valuable to the overall response effort and quality of the final product resulting from disaster recovery to the AUTECH site.

Failure to immediately begin disaster recovery, via the logical follow-on order, will result in extended operational down time and additional cost to the activity. Additional time and cost would be required in order for another contractor to gain the same knowledge of the damage assessment and current site conditions. Additionally, a new contractor would require extended time to prepare a response plan and overcome logistical challenges in gaining access to the remote location. The current contractor has prepared an approved response plan and is familiar with island logistics.

**5. FAIR AND REASONABLE COST DETERMINATION:** I hereby determine that the anticipated price for this contract action will be fair and reasonable. The techniques identified at (e.g. FAR 15.404-1(c)) will be used to ensure award will be at fair and reasonable prices. The Independent Government Cost Estimate (IGCE) will primarily be an analysis of the contractor's proposed cost. Additionally, the techniques identified at (e.g. FAR 15.404-1(c)(2)(iii)) will be used to further ensure award will be at fair and reasonable prices. Certified Cost and Pricing Data will be obtained.

**6. Any other facts supporting the justification:**

Utilization of the proposed follow on contract task order would allow the work to commence immediately. As identified in paragraph #4 above, the initial order was competed and four (4) offers were received. URS's technical proposal was favorable, and URS offered the best value proposal non-price and price factors considered. It is unlikely that an additional procurement

- Note: Security Level 2 facility with escort required
- Demolition as required
- Major Roof repairs including asbestos abatement
  - o fiberglass panel roofing
  - o horizontal roll roofing
- Lightning protection system needs to be replaced 100%
- Minor interior repairs
  - o interior ceiling

Priority 5 – Torpedo Post-Run Testing Facility with Cranes (BLDG 1684)

- Security Level 2 facility. Escort required
- Demolition as required
- Roof repairs
- HVAC repairs
- Interior repairs
- Exterior repairs

Priority 6 – Command Control Admin (BLDG 1604)

- Security Level 2 facility. Escort required
- Roof repairs
- Siding and flashing repairs
- Door repairs

Mold Remediation. As directed, the Contractor may be required to manage and conduct mold remediation within damaged facilities.

Mold remediation activities will be completed in accordance with UFGS 02 85 00.

**4. Authority and Demonstration that nature of the acquisition requires use of the authority cited:**

Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and FAR 16.505(b)(2). The contracting officer shall give every awardee a fair opportunity to be considered for a delivery/task order exceeding \$3,000 unless one of the following statutory exceptions applies. Mark the applicable exception:

- The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays [FAR 16.505(b)(2)(i)(A)];
- Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized [FAR 16.505(b)(2)(i)(B)];
- 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 [FAR 16.505(b)(2)(i)(C)];
- It is necessary to place the order to satisfy a minimum guarantee [FAR 16.505(b)(2)(i)(D)]; or
- For orders exceeding the simplified acquisition threshold, a statute expressly authorizes or requires that purchase be made from a specified source [FAR 16.505(b)(2)(i)(E)]

would yield a better offer for the logical follow-on work. There have been no other logical follow-on orders associated with the Hurricane Matthew recovery effort.

**7. Actions to Increase Competition:**

NAVFAC Southeast will continue to promote fair competition through issuing solicitations for orders to all eligible contract holders. All eligible contract holders will be provided an opportunity to compete for orders as they are routinely issued under the existing multiple award IDIQ construction contract vehicles. In addition, NAVFAC Atlantic will continue to take appropriate actions that promote competition in accordance with the fair opportunity process, and that are in the best interests of the agency, stakeholders, and expenditure of tax payer dollars.

**8. PROCURING CONTRACTING OFFICER CERTIFICATION:** I certify that this Justification is accurate and complete to the best of my knowledge and belief.

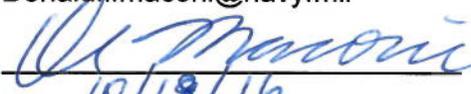
Signature:   
Name: Angela Broughton

Date: 10/18/16

**9. Technical / Requirements Certification:** I certify that the supporting data under my cognizance which is included in this limited sources justification is accurate and complete to the best of my knowledge and belief.

Submitted By:  
Position Title:  
Email address:  
Signature:

Donald L. Maconi, PE  
NAVFAC-SE Contingency Engineer  
Donald.l.maconi@navy.mil

  
10/18/16

Date:

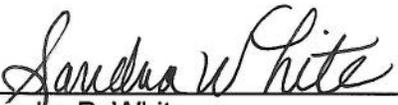
**10. Review:** I have reviewed this justification and have no legal objection.

**Legal Counsel**

Typed Name: Catherine Horan Date: 10/19/16

Signature: 

**11. Contracting Officer's Approval:** I hereby certify that this limited source justification is accurate and complete to the best of my knowledge and belief. Based on the foregoing, I approve this limited source justification subject to availability of funds, and provided that the services and supplies herein described have otherwise been authorized for acquisition.

SIGNATURE:   
NAME: Sandra P. White DATE: 19 Oct 2016  
TITLE: Chief of the Contracting Office