

DEPARTMENT OF VETERANS AFFAIRS

**Justification for Single Source Awards IAW [FAR 13.106-1](#)
For
Over Micro-Purchase Threshold but Not Exceeding the SAT (\$250K)**

Acquisition Plan Action ID: 36C241-23-AP-1301

1. **Contracting Activity:** Department of Veterans Affairs, VISN 01, VHA Boston Healthcare System, Brockton, MA
2. **Brief Description of Supplies/ Services required and the intended use/Estimated Amount:**
Provide Type C services for 523A5-07-123 Patient Safety Phase 2, B2 at the Brockton VAMC. Sole Source Firm Fixed Price Contract with the designer of record William Pevear Architects Inc. (WPA)

The service includes Construction Period Services, also known as, Type C Services, which are associated with the construction project 523A5-07-123 Patient Safety Phase 2, B2 at the Brockton VAMC. The project designer of record (WPA) will continue the construction period services to include material submittal review, RFI review, project site investigations, change order review and recommendation, preparation of construction cost estimates, as-built documentation and creation, and other services to provide the support and professional expertise so the VA can receive the greatest finished product. WPA is the only firm who can provide type C services on this project because WPA is the designer of record and has professionally stamped and sealed all drawings associated with project 523A5-07-123 Patient Safety Phase 2, B2 at the Brockton VAMC. Procuring a different A/E for these services will rescind WPA's responsibilities and could adversely impact the VA's total liability for fault attributed to design and potentially cause construction delays. It is in the best interests of the government to retain the service of the original design A/E: William Pevear Architects. Period of Performance is 590 calendars from contract award date.

3. **Unique characteristics that limit availability to only one source, with the reason no other supplies or services can be used:** WPA is the design A/E of record for the construction documents for this project. Type C Construction Period Administration Services (CPS) was originally in the scope of work for WPA; WPA submitted a price for CPS in their original proposal with Type A, B and C services. Type C CPS was executed and funded at the time; however, the FY17 funds have expired. WPA, the designer of record, will be reviewing the specifications and drawings to incorporate revisions and changes that have taken place within the facility since the finalized specifications and drawings were completed in 2018. The project is going out for bid for construction and requires the design A/E of record (WPA) to perform Type CPS as well as answering RFI questions. The design A/E of record needs to be retained for Type C CPS for warranty and liability issues. Type C CPS is a continuation of the design and must be performed by the A/E designer of record (WPA). The design A/E of record (WPA) is liable for the construction documents and project design performance.

VHAPG Part 813.106 Simplified Acquisition Procedures: Soliciting from a Single Source
Attachment 1: Single Source Justification for SAP under the SAT

Procuring a different A/E for these services will rescind WPA's responsibilities and could forfeit the VA's total liability for faulty design and selection. The project's design is a proprietary design of the A/E of record (WPA). WPA prepared the project drawings and specification and is liable for making any corrections to the design if problems occur during construction. Failure to provide contract CPS services from WPA may result in additional costs to the government that would otherwise have been furnished by the A/E or Contractor and may result in significant delays to the construction project. In addition, another A/E firm other than the designer which produced the construction documents will incur additional cost to the government. A different firm will charge for review of all bid documents, drawings and specifications.

4. Description of market research conducted and results or statement why it was not conducted:

The project's design was produced by William Pevear Architects (A/E designer of record). CPS was provided within their initial project proposal which included Concept, Design, and CPS. William Pevear Architects are therefore best positioned to provide these services without additional delay and performance risk associated with engaging a different contractor.

The proposed sole source contractor has worked very closely with the technical and functional resources in the Brockton VA and gained significant knowledge of the requirements to facilitate the previously completed design. The exposure to the VA and design work will be crucial as the Patient Safety project is completed. WPA has intimate knowledge of the design due to their execution of the design under a previous contract. If another vendor is selected, additional risk would be incurred as the new contractor's staff may not fully understand the intent and context of the complex requirements included in this design. Furthermore, another source would require a steep learning curve while gaining familiarity with the design itself.

5. Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Prepared by: Contract Specialist, Alexis Duda, Central Western VAMC MA

Karla Rotondo
Contracting Officer

01/26/2023

Date