United States Department of the Interior
BUREAU OF LAND MANAGEMENT
https://www.blm.gov

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

This document sets forth the justification and approval as required by FAR 6.103.

1. Identification of the Agency and the Contracting Activity:

   The Department of the Interior, Bureau of Land Management (BLM), Montana/Dakotas State Office, requests the DOI Procurement, to contract on a limited or sole source basis.

2. Nature and/or description of the action being approved:

   This action is to perform emergency road repairs and stabilization resulting from a declared disaster event under the Emergency Relief for Federally Owned Roads (ERFO) program (Disaster No. MT 2026-1-BLM) and post-wildfire emergency stabilization and rehabilitation activities within the Windy Rock Fire area.

3. A description of the Supplies or Services required meeting the Agency's needs, including the estimated value:
   The requirement is to provide emergency repairs to federally owned roads and provide emergency stabilization, hazard mitigation, and rehabilitation services on BLM-managed lands impacted by the Windy Rock Fire, within the Western Montana District (Missoula County), including but not limited to:
   - Repair of road slope failures
   - Restoration of drainage features
   - Removal of fallen trees and debris
   - Stabilization of damaged roadway infrastructure
   - Restoration of essential travel routes
   - Storm patrol and emergency road maintenance to remove debris, repair drainage systems, and maintain safe access routes following storm events
   - Removal of hazardous debris, sediment, and slide material impacting roads and infrastructure
   - Installation of temporary protective fencing to prevent resource damage and support habitat recovery in sensitive meadow areas

   These damages resulted from the December 2025 atmospheric river event (December 8–19, 2025) and Windy Rock wildland fire summer 2025. These activities are necessary to protect life, property, infrastructure, and natural resources following wildfire impacts and subsequent storm events. The greatest impact to the government is after snow melt and after summer thunderstorms. Work must be completed within one year of the containment of the Wildland Fire Incident.

The estimated total value of this requirement is [redacted]

These services are required to support BLM's mission to maintain safe and functional access to federally managed lands and infrastructure.

4. An identification of the statutory authority permitting other than full and open competition:

   Select one of the following:

   __ 41 U.S.C. 3304 (a) (1), only one responsible source and no other supplies or services will satisfy agency requirements as implemented by FAR 6.103-1.
   _x_ 41 U.S.C. 3304 (a) (2)), unusual and compelling urgency as implemented by FAR 6.103-2.
   __ 41 U.S.C. 3304(a) (3)), industrial mobilization; engineering, developmental, or research capability; or expert services as implemented by FAR 6.103-3.
   __ 41 U.S.C. 3304 (a) (4)), international agreement as implemented by FAR 6.103-4.
   __ 41 U.S.C 3304 (a) (5), authorized or required by statute as implemented by FAR 6.103-5.
   __ 41 U.S.C. 3304(a) (6), national security as implemented by FAR 6.103-6.
   __ 41 U.S.C. 3304 (a) (7)), public interest as implemented by FAR 6.103-7.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:

   BLM has received a formal acknowledgment and authorization to proceed with emergency repairs from the Federal Highway Administration (FHWA), directing immediate action to restore essential travel and prevent further damage.

   Additionally, FHWA issued a Positive Finding confirming eligibility for ERFO funding and requiring prompt repair and prioritization of emergency work.

   The urgency is based on the following conditions:

   - Immediate threat to public safety and access: Damaged roads pose hazards to public users and agency personnel.
   - Risk of further infrastructure failure: Unrepaired slope failures and drainage issues may worsen, increasing repair costs and environmental damage.
   - Loss of critical access routes: Roads provide access for emergency response, land management, and public use.
   - Federal requirement for prompt action: ERFO guidance explicitly requires emergency repairs to be undertaken immediately to remain eligible for funding.

   Delaying award to allow full and open competition would result in:

   - Increased damage and repair costs
   - Extended loss of access
   - Potential safety incidents
   - Risk to Federal funding eligibility

Therefore, the Government would be seriously injured if normal competitive procedures were followed.

In accordance with FAR 6.103-2, the contracting office will solicit offers from as many sources as practicable under the circumstances.

The Windy Rock Fire has significantly altered watershed conditions, increasing the likelihood of erosion, flooding, debris flows, and infrastructure failure during storm events. Burned areas are highly susceptible to rapid runoff, mobilizing sediment, rocks, and woody debris that threaten roads, drainage systems, and public access routes.

Immediate action is required because:

- Threat to Human Life and Safety: Roads and access routes are subject to blockage, washouts, and hazardous conditions, posing risks to the public and emergency responders.
- Imminent Infrastructure Damage: Failure to clear drainage features and debris will result in accelerated road failure, increased erosion, and significantly higher reconstruction costs.
- Resource Damage and Environmental Degradation: Sensitive habitats, including meadow ecosystems such as Hanson Park, are at risk of continued degradation without immediate protective measures.
- Compounding Impacts from Storm Events: Post-fire landscapes are unstable, and each storm event increases the magnitude of damage if mitigation actions are delayed.

Delaying this acquisition to conduct full and open competition would result in:

- Increased risk to public safety
- Loss of critical access routes
- Escalating repair costs due to compounding damage
- Irreversible impacts to natural and cultural resources

Therefore, the Government would be seriously injured if normal competitive procedures were followed. In accordance with FAR 6.103-2, the Contracting Officer will solicit offers from as many potential sources as practicable under the circumstances.

6. A 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 FAR Subpart 5.1 and, if not, which exception under FAR 5.101 applies:

   Through market research several potential sources have been found. Information about their capabilities is mentioned below in section 8.

   This procurement meets the criteria for using other than full and open competition as set forth in FAR 6.103-2, which references the use of procedures authorized under conditions of unusual and compelling urgency; therefore, the notice will be posted within 30 days after contract award.

7. A determination By the Contracting Officer that the anticipated cost to the Government will be fair and reasonable:

The contracting officer anticipates prices to be fair and reasonable. This acquisition will be competed between several qualified construction contractors to ensure the best value for the Government. In instances where pricing data is required, an analysis of pricing information will be performed, as well as a review of historical procurement pricing, the independent government estimate, and other available pricing information to determine price reasonableness.

8. A description of the Market Research conducted (see FAR Part 10) and the results or a statement of the reason Market Research was not conducted:

Market research was conducted commensurate with the urgency of the requirement and included:

- *Review and elimination of other FA LIMR contracting tools and contractors on that vendor list.*
- *Review of contractors with prior ERFO or emergency response experience*
- *Consultation with technical experts, foresters and engineers*
- *Review of regional contractor capabilities*

Due to the emergency, full market research was limited; however, sufficient information exists to identify capable sources able to respond immediately. Below is a table of vendors in the area that have worked for BLM or have previously expressed interest in working with BLM. They were contacted to see if they had capability, interest and general availability.

Contractor Company	Notes	Unique Entity ID	POC	Phone	Email
NorthForge Contracting LLC	interested well suited for fence work and heavy civil hasn't worked with BLM before	[redacted]	[redacted]	[redacted]	[redacted]
Little Bear	potentially interested but has work lined out, limited employees, capable but slower	JN85RPMJ28Z5	[redacted]	[redacted]	[redacted]
Hatt and Son Logging	Interested well suited, logging and road work has some availability	KJJTT39UNLR4	[redacted]	[redacted]	[redacted]
Bull Creek Forestry	potentially interested but has work lined out, well suited Logging and road work	L3R8MNUXAHD3	[redacted]	[redacted]	[redacted]
Park Logging	no answer, has expressed interest in the past has not worked directly for BLM before	NSL3L55T6E85	[redacted]	[redacted]	[redacted]
Westslope Forest Management (WSF MANAGEMENT, LLC)	interested and capable, has availability, medium size operator.	JJNAEHJBEJK4	[redacted]	[redacted]	[redacted]
Evergreen Forest management	Capable	WJLSLMW3PMU5	[redacted]	[redacted]	[redacted]

9. Any other facts supporting the use of Other Than Full and Open Competition, such as: (i) explanation of why technical data packages, specifications, engineering descriptions, statement of work, or purchase descriptions suitable for full and open competition have not been developed or are not available, (ii) When 6.103-1 is cited for follow-on acquisitions as described in 6.103-1(c)(2), an estimate of the cost to the Government that would be duplicated and how the estimate was derived., (iii) When 6.103-2 is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

   ERFO and BAR guidance requires immediate emergency operations to restore essential travel and prevent further damage.
   - *Repairs must be completed promptly to ensure eligibility for Federal reimbursement.*
   - *The damage spans multiple remote locations, further complicating response timelines.*
   - *Delays would significantly increase lifecycle costs and risk to infrastructure.*

10. A listing of the sources, If any, that expressed in writing, an interest in the acquisition:

Contractor Company	Notes	Unique Entity ID	POC	Phone	Email
NorthForge Contracting LLC	interested well suited for fence work and heavy civil hasn't worked with BLM before	[redacted]	[redacted]	[redacted]	[redacted]
Little Bear	potentially interested but has work lined out, limited employees, capable but slower	JN85RPMJ28Z5	[redacted]	[redacted]	[redacted]
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Evergreen Forest management	Capable	WJLSLMW3PMU5	[redacted]	[redacted]	[redacted]

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the Supplies or Services required:

The agency will conduct a thorough assessment of the emergency response and repair actions to identify any factors limiting competition, such as urgency, technical requirements, or geographic constraints. Where feasible, the agency will update specifications, timelines, and procurement strategies to allow broader participation from qualified vendors. Additionally, future acquisitions will be scheduled to allow sufficient time for market research, public notice, and solicitation of offers from a wider pool of potential sources. The contracting office will also review lessons learned from this emergency procurement to inform and improve future competitive processes, ensuring compliance with FAR 6.103-2 and maximizing opportunities for full and open competition whenever practicable.

12. Certification:
    I certify that any supporting data that is the responsibility of technical or requirements personnel (i.e. verifying the Government's minimum needs or schedule requirements or other rationale for other than full and open competition) and which form a basis for the justification have been certified as complete and accurate:

(Signature) KATHLEEN MARKS Digitally signed by KATHLEEN MARKS Date: 2026.05.07 10:19:04 -06'00' (Date) 05/07/2026

(Type or Print Name): Kathleen Marks

Contracting Officer's Representative

I certify that the justification is accurate and complete to the best of my knowledge and belief:

(Signature) JORGE ALVAREZ Digitally signed by JORGE ALVAREZ Date: 2026.05.08 08:56:34 -06'00' (Date) 5/8/2026

(Type or Print Name): Jorge Alvarez

Contracting Officer