U.S. Department of Justice
Federal Bureau of Prisons
Field Acquisition Office

U.S. Armed Forces Reserve Complex
Grand Prairie, Texas 75051

Justification for Other than Full and Open Competition (JOFOC)
FCI Terminal Island

Pursuant to FAR Subpart Deviation 6.103, the Federal Bureau of Prisons (FBOP) has determined that the procurement for emergency shoring of tunnel at Federal Correctional Institution (FCI) Terminal Island located within the city limits of San Pedro, California, meets the criteria established for other than full and open competition. It is further concluded that this requirement is of an unusual and compelling urgency that delay in award would result in serious injury, financial, or other, to the Government. This limitation on competition is justified as supported by the following information:

1. **FAR Deviation 6.104-1(a)(1): Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for other than full and open competition.":**
   Federal Bureau of Prisons
   Federal Correctional Institution Terminal Island (FCI Terminal Island)
   1299 Seaside Avenue
   San Pedro, CA 90731

2. **FAR Deviation 6.104-1(a)(2): Nature and/or description of the action being approved:**
   The action being approved is for a new contract for emergency shoring of tunnel at FCI Terminal Island. The emergency requirement was identified during an engineering assessment of the institution's underground steam tunnel that prompted immediate and urgent action to provide critical infrastructure support for the underground steam and hot water supply for staff, food service and inmate housing units. The contract type will be firm-fixed price and a request for quote will be issued to Seamair Constuction, Inc (Unique Entity ID: L23LG4M97QK4).

3. **FAR Deviation 6.104-1(a)(3): Description of the supplies or services required to meet the agency's needs (including the estimated value):**
   To meet the Bureau of Prisons' mission-critical requirement of maintaining safe and habitable conditions for staff, contractors and inmate population, all program areas must be kept in compliance with health, safety standards and be of hazardous free conditions. The contractor shall install approximately 250-foot sections of properly sized timber sets, and plywood fastened to timber sets at 6-foot intervals to the length of the tunnel. The shoring will provide support for existing wight loads, prevent soil and infrastructure movements and prevent collapsing of structures. The estimated cost for this project is $380,000.

4. **FAR Deviation 6.104-1(a)(4): An identification of the 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)(2) as implemented by FAR Deviation 6.103-2, Unusual and Compelling Urgency. FAR Deviation 6.103-2(b) provides for the applicability of this authority in situations "when the agency's need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals for."

5. **FAR Deviation 6.104-1(a)(5): A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:**
FCI Terminal Island's underground tunnel holds access to the piping system for steam and hot water that supplies various program areas within the institution such as staff working quarters, food service and inmate housing units. It was identified during an engineering assessment of the institution that a 250-foot section of the tunnel was failing and at the verge of infrastructure collapse resulting in an unusual and compelling urgency for shoring tunnel service. The contractor, Seamair Constuction, Inc located in San Luis Obispo, California demonstrated the ability to mobilize quickly and has specialized knowledge to meet the urgent shoring requirements.

6. **FAR Deviation 6.104-1(a)(6): A description of efforts made to ensure that offers are solicited from as many potential sources as possible, including whether a notice was or will be publicized as required by part 5 and, if not, which exception under part 5 applies:**
The proposed contract action is made under the conditions described in FAR Deviation 6.103-2 and therefore the exception as FAR Deviation 5.201(b)(1) is applicable. The Government would be seriously injured if the agency complied with the time periods specified in FAR Deviation 5.201. This is an unusual and compelling urgent acquisition. Any further delay may result in serious injury, financial or other, to the Government. Therefore, soliciting offers from additional sources would not be practicable. A notice will be publicized as required by part 5.

7. **FAR Deviation 6.104-1(a)(7): A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable:**
The Contracting Officer has determined that the anticipated cost to the Government is fair and reasonable. This determination is based on the Independent Government Estimate (IGE), which was developed using pricing from similar shoring projects at other FBOP facilities and current market rates for equipment, labor, and materials. The IGE reflects a realistic cost for shoring equipment and material for installing a 250-foot section of timber sets, and plywood with fastened to timber sets at 6-foot intervals to the length of the tunnel.

8. **FAR Deviation 6.104-1(a)(8): The market research conducted (see part 10) and the results or a statement of the reason market research was not conducted:**
Due to the urgent need to stabilize the underground tunnel and support infrastructure from collapsing, it was determined that conducting a full market survey was not feasible. The underground tunnel engineering assessment and site visuals revealed the infrastructure is on the verge of catastrophic collapse of the tunnel system. This has created an immediate risk to safety and habitable conditions for inmates and staff. Given the specialized nature of shoring the tunnel, only a limited number of sources could perform the work without significant delays. As explained in the other sections, the proposed contractor possesses specialized experience and can mobilize quickly to meet the institution's urgent operational needs.

9. **FAR Deviation 6.104-1(a)(9): Any other facts supporting the justification:**
The urgency of this requirement is further supported by maintaining the health, safety, security, and orderly operation of the institution for staff and inmates. Maintaining the integrity of the institutions infrastructure and underground piping system from collapsing is critical. The underground tunnel systems piping supports climate-controlled temperatures for steam and hot water for food service and inmate housing units. Preventing any delays in the shoring process of tunnel and installing support structure will prevent catastrophic collapse and events. Any failure to promptly move forward could lead to unsafe indoor / outdoor conditions; disruption of essential programs and services; increased tension within the inmate population; and potential security incidents. Additionally, extended delays could result in damage to buildings and infrastructure, deterioration of staff working conditions, and inhumane conditions for both staff and inmates. Immediate action is necessary to mitigate these risks.

10. **FAR Deviation 6.104-1(a)(10): A listing of the sources, if any, that expressed, in writing, an interest in the acquisition:**
No other sources have expressed, in writing, an interest in this acquisition. Based on the urgent operational need and the requirement for immediate mobilization, there are no other sources reasonably available that can provide the required services within the critical time frame necessary to complete shoring of tunnel and install all required supplies to provide infrastructure and soil support.

    Seamair Constuction, Inc
    205 Suburban Rd, Suite 2
    San Luis Obispo, CA 93406

11. **FAR 6.104-1(a)(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:**
FCI Terminal Island will continue to monitor industry market trends to identify potential competitive sources capable of meeting the Government's requirements. For all future, non-urgent acquisitions, the agency will conduct advance planning to allow adequate time for competitive procurement methods. This plan will include regular assessments of the facilities infrastructure, equipment and conditions, to identify aging or failing systems. These actions are intended to mitigate the need for urgent procurements and ensure that maximum competition is sought whenever practicable.

12. **FAR 6.104-1(a)(12): Contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief:**
I hereby certify this Justification for Other Than Full and Open Competition is made in good faith. The supporting data and information contained herein are accurate and complete to the best of my knowledge and belief. I further certify that this request is not the result of a lack of advance procurement planning.

Approved by:

MANJIT DOLA Digitally signed by MANJIT DOLA Date: 2026.05.28 11:29:50 -07'00'

5/28/2026

Manjit Dola, Contracting Officer — Date
Field Acquisition Office