Control Number: POA 26-11

Justification Review Document
for Other than Full and Open Competition – FAR Part 6

Program/Equipment: Architect-Engineering (AE) for Civil Works (CW) and Related Projects Indefinite Delivery, Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC), Primarily Various Locations, Alaska, Capacity Increase.

Authority: 10 United States Code (U.S.C) 3204(a)(2) as implemented in Federal Acquisition Regulation (FAR) 6.302-1(a)(1), which permits other than full and open competition when services required by the agency are available from only one or a limited number of responsible sources and no other type of services will satisfy agency requirements.

Amount: The total contract capacity of the AE CW IDIQ MATOC is revised from [redacted] for a net increase of $10 million.

[redacted]

Controlled by: USACE ALASKA
Controlled by: CEPOA-CT
CUI Category(ies): CUI/SPROCURE
Dissemination Control: FED ONLY
POA: George Nasif, (907) 753-2838

Reviews

I have reviewed this justification and find it adequate to support other than full and open competition.

[redacted]

Justification and Approval
for Other than Full and Open Competition – FAR Part 6

1. Contracting Activity: U.S. Army Corps of Engineers (USACE), Alaska District, Contracting Division, P.O. Box 6898, Joint Base Elmendorf-Richardson (JBER), Alaska 99506-6898.

2. Description of Action: Modification to increase the shared capacity of the existing Indefinite-Delivery Indefinite-Quantity (IDIQ) Multiple Award Task Order Contract (MATOC) for Civil Works AE, W911KB22D0002 through W911KB22D0004.

3. Description of Supplies/Services: The services covered under this AE CW IDIQ MATOC include preparation of complete reports or portions of the USACE planning reports, environmental analyses and documentation for National Environmental Policy Act (NEPA) compliance, engineering designs (including construction plans and specifications) for small boat harbors, navigation projects, ecosystem restoration projects, flood damage reduction projects, storm damage reduction projects, watershed studies, comprehensive relocation Plans, comprehensive community plans for rural villages in Alaska, and other Civil Works activities, to include plan formation, public meeting engagement/facilitation, design engineering, cost engineering, geotechnical engineering, Hydrologic engineering, environmental documentation, economic analyses, and real estate analysis and support. The planned modification will increase the total contract capacity by $10 million, from [redacted] for the MATOC awards, W911KB22D0002-W911KB22D0004. This increase is necessary to address specifically a known required modification on an active task order, held by AECOM Technical Services Inc. (W911KB22D0003). The base contract ordering period is five years, expiring 23 November 2026; however, the Government anticipates exercising the up to 6-month option under the FAR Clause 52.217-8 which would extend the ordering period to May 2027. All task order modifications will be fully funded with Civil Works funds. The existing AE CW IDIQ MATOC was solicited as full and open competition. The original task order for W911KB26FA002 was solicited using FAR 16.505 fair opportunity procedures (through the USACE AE Task Order Requirement Notice (TORN) process) amongst all MATOC awards. The MATOC consists of the following contracts and AE contractors:

Tetra Tech, Inc (W911KB22D0002)
AECOM Technical Services, Inc (W911KB22D0003)
Stantec Consulting Services (W911KB22D0004)

The estimated known amount of capacity increase to be utilized for in-scope modifications on the active task order, W911KB26FA002 is [redacted]. The proposed capacity increase will permit the current active task order (see Table 1) to be worked to completion to provide AE solution for the *Mendenhall Glacial Outburst Lake Flooding (GLOF)* requirement. The remaining capacity increase would allow for future modifications for other active task orders, as well as future, unknown urgent AE CW

requirements through the end of the ordering period. Any new task orders would be competitively awarded under the MATOC).

Table 1. Task Order Modifications

W911KB22D0003 *W911KB26FA002*	*Mendenhall Glacial Outburst Lake Flooding (GLOF) Technical Study*	[redacted]	[redacted]
W911KB22D0002 *W911KB26FA001*	*Port of Nome*		[redacted]
W911KB22D0002 *W911KB25F0011*	*Ketchikan Breakwater*		[redacted]
W911KB22D0004 *W911KB23F0135*	*Environmental Impact Statement (EIS) Various Locations, Alaska*		[redacted]
W911KB22D0004 *W911KB24F0091*	*Kodiak Stakeholder Facilitations*		[redacted]
TOTAL			[redacted]

4. Authority Cited: 10 United States Code (U.S.C) 3204(a)(2) as implemented in Federal Acquisition Regulation (FAR) 6.302-1(a), which permits other than full and open competition when services required by the agency are available from only one or a limited number of responsible sources and no other type of services will satisfy agency requirements.

5. Reason for Authority Cited:

a. Background: Since its award in Fiscal Year (FY) 2022, the AE CW IDIQ MATOC has been utilized for a total of 17 task orders and 31 modifications totaling [redacted]. This high volume of activity across the various AE CW projects has depleted the [redacted] shared capacity to less than [redacted]. The remaining capacity available for use is only [redacted] This value is insufficient to cover required modifications for known (or unknown) differing site conditions or in-scope changes on active task orders listed on Table 1. Planned and unknown changes are estimated to cost approximately $10 million for future, unplanned, competitive AE CW task order requirements. The increased capacity will cover the items listed in Table 1, but most important are the modifications likely for the W911KB26FA002 task order, as part of ongoing design efforts (to include geotechnical and other surveys) to implement preventive measures for the Mendenhall GLOF. The Mendenhall GLOF occurs annually and given the trend toward warmer winters in the region, there is a strong likelihood that these events will continue to occur with greater frequency and increased magnitude. In response, the State of Alaska submitted a formal request to USACE Alaska District seeking emergency flood assistance under Public Law (PL) 84-99 Emergency Response to Natural Disasters. The original task order was to design interim solutions that would

require continued partial flood mitigation measures. With the change in climate, AE CW support for a long-term AE design solution is required to best support a correction to the Mendenhall GLOF emergency. This change from AE CW design and surveys for multiple short-term solutions to support for a more permanent long-term solution was not known at time of original task order award.

b. Justification:

To accommodate required in-scope modifications for the active task orders in Table 1, additional contract capacity must be allocated to the AE CW IDIQ MATOC. This includes a necessary modification to active task order W911KB26FA002 to advance a permanent Mendenhall GLOF solution. The existing contractor, AECOM, on task order, W911KB26FA002, is currently designing multiple short-term solutions. With this in-depth project knowledge, this AE firm is the only responsible source for completion of the modified work. This AE firm was awarded the original task order through the fair opportunity qualification-based selection process and no change in selection would result if another TORN process was conducted for a different action under the existing AE CW IDIQ MATOC. Additionally, the Port of Nome AE CW support is required through the end of the Port of Nome construction and modifications are anticipated with total value unknown at present except as estimated on Table 1, which is the same as the other current, active task orders listed. POA would be significantly limited in their ability to respond with optimal effectiveness to emerging AE Civil Works requirements without exercising the FAR 52.217-8 Clause and without an increase of capacity. The capacity increase (along with the anticipated exercise option under FAR 52.217-8, will allow POA to successfully fulfill their current known and future AE CW requirements through May 2027. Without capacity increase, there would be delays to critical project delivery timelines, and challenges meeting stakeholder needs.

c. Alternatives: Increasing capacity on the current AE CW contract vehicle and retaining the incumbent contract is the only viable path to support the Mendenhall GLOF long-term technical strategy and fulfill projected CW requirements through May 2027. A replacement contract vehicle, anticipate at a capacity of [redacted], will not be available until March 2027 at the earliest, leaving no alternative procurement options in the interim.

d. Impact: If the request to increase capacity to the AE CW IDIQ MATOC is not approved, specifically for the W911KB26FA002 requirements, the State of Alaska and the City and Borough of Juneau (CBJ) will be at risk of increased flooding due to the limited ability for the short-term design solutions to more permanently alleviate the flood risk. Continued use of short-term design solutions is not the best use of Government funds and will have detrimental impact on the capital of the State of Alaska, as well as jeopardize the ability for USACE Alaska District to most successfully meet the mission to support the well-being of Alaska communities. Increasing the capacity of the current AE CW IDIQ MATOC is the only viable solution to mitigate these risks and fulfill mission requirements.

6. Efforts to Obtain Competition: Due to the factors outlined in paragraph 5 and the sources sought information in paragraph 8, competing the required task order modifications for the stated active task orders in Table 1 is determined not to be a reasonable or viable option due to the qualifications-based selection for the original AE firm. Any new, future task orders will be issued competitively via the USACE TORN process.

a. Effective competition: The AE CW IDIQ MATOC was awarded through a full and open competitive process, which garnered robust interest from industry, resulting in five (5) most highly qualified offers. Following a rigorous and comprehensive evaluation, three (3) firms were ultimately selected for awards. Task orders issued under the AE CW IDIQ MATOC have each been accomplished under the USACE AE TORN competitive process.

b. Subcontracting competition: The task orders benefiting from the capacity increase will continue to offer subcontracting opportunities across various specialties. While the MATOC AE firms are responsible for managing their subcontracting plans, the Government expects them to maximize competition in accordance with FAR Clause 52.219-14, Limitations on Subcontracting. This ensures small business participation and best value for the Government at the subcontract level.

7. Actions to Increase Competition: The POA is committed to maximizing competition for future acquisitions. The POA actively promotes competition for AE acquisitions through Sources Sought Notices, Industry Days, draft solicitations, and broad dissemination of opportunities via SAM.gov. In fact, the new, planned [redacted] AE CW IDIQ MATOC, expected to be solicited in August 2026, currently has 12 interested parties that replied during the market research. Market research indicates a high level of interest, leading to anticipation of robust competition for the new AE CW acquisition.

8. Market Research: The market research for the existing AE CW IDIQ MATOC had 12 responses. Each of the 12 interested AE firms were reviewed to determine if they would be highly qualified for the AE CW requirement. At that time, of the twelve responses only six were determined to be highly qualified, and only two of those were small businesses. For the AE requirements on Table 1, there will be no additional market research due to the AE qualifications-based process; however, the notice announcing the Government's intent to increase the capacity of the existing AE CW IDIQ MATOC as required by FAR Subpart 5.201 will be published.

9. Interested Sources: Not applicable. There will be no additional market research due to the AE qualifications-based process.

10. Other Facts: The approved, redacted J&A will be posted in accordance with FAR 6.305. In preparation for continuity of services, a new AE CW IDIQ MATOC, valued at [redacted], is currently being developed and structured with a more robust ordering period spanning five (5) with a 2-year option period. Notably, the significantly expanded capacity and extended ordering period of this new AE CW vehicle will provide enhanced

flexibility and sustained capability necessary to continue to meet POA's growing Civil Works mission requirements. This forward-leaning approach ensures a seamless transition and uninterrupted support once the current contracts reach expiration.

10. **Technical Certification:** I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

[redacted]

APPROVAL

Based on the foregoing justification, I hereby approve the modification for the USACE Alaska District Architect-Engineering (AE) Services for Civil Works (CW) Indefinite-Delivery Indefinite-Quantity (IDIQ) Multiple Award Task Order Contract (MATOC) to increase the capacity by $10 million from [redacted] on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 3204(a) as implemented in Federal Acquisition Regulation 6.302-1, Only one responsible source or limited number of sources and no other supplies or services will satisfy agency requirements, subject to availability of funds, and provided that the services and herein described have otherwise been authorized for acquisition.

[redacted]