

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Agency: Department of General Services
Capital Construction Division
Caption: Ballou Athletic Fields Project – Practice Field
Proposed Contractor: KADCON Corporation
Proposed Contract No.: DCAM-18-CS-0065

FINDINGS

1. AUTHORITY:

D.C. Official Code §2-354.04 and Title 27 DCMR Section 4718.1

2. MINIMUM NEED:

The Department of General Services (DGS) has a need to determine the source of and correct the settlement of the soil that has occurred at the west side of the Ballou High School practice field. This shall include at a minimum performing subgrade investigation and identification of a remedy to correct and prevent on-going settlement at the practice field before the 2018 football season begins. See Exhibit A, Statement of Work.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price to provide the required services is \$175,000.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

The Ballou High School project was divided into two phases, Phase I included the main school building while Phase 2 was the construction of an athletic complex to include among other features a competition field for football, soccer and lacrosse with improvements to the 400-meter, 8-lane running track; bleacher seating for 1600 spectators; a press box, a scoreboard and ticket booths; and an artificial turf practice field. KADCON was selected through a competitive Request for Proposal to complete Phase 2.

During the construction of the athletic fields several significant unforeseen conditions including the presence of marine clay soil and underground water conditions slowed construction and turned what was expected to be a straightforward project into a very complex project. Phase 2 construction was completed in the fall of 2016.

Since that time, the synthetic practice field has been experiencing settlement on the west end. The cause of the settling is suspected to be ground water sources. Additional soil

investigations are needed to confirm the reasons. Once an agreed upon solution has been reached, the practice field will need to be rebuilt before the 2018 football season begins.

KADCON possesses unique expertise and historical knowledge of the project that will be critical to ensure the reconstruction of the practice field is a success. KADCON's familiarity with the Ballou athletic complex project including logistical and coordination requirements will be invaluable to ensure the reconstruction efforts are completed effectively, without delays and in the most economical manner possible. Additionally, in order to maintain the warranty on the practice field, the original installer will have to perform the reconstruction efforts. KADCON maintains the relationship with that supplier.

For the reasons stated above, the Department request authorization to pursue an agreement with KADCON on a sole source basis.

5. CERTIFICATION BY DEPUTY DIRECTOR:

I hereby certify that the above findings are true, correct and complete to the best of my knowledge.

Allam Al-Alami
Acting Deputy Director Capital Construction

Date

6. CERTIFICATION BY CONTRACTING OFFICER

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that [no response was received] [the response received was rejected because _____]. I recommend that the Chief Contracting Officer approve the use of the sole source procurement method to meet the District's minimum need.

James H. Marshall
Contracting Officer

Date

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

George G. Lewis, CPPO
Associate Director/Chief Contracting Officer

Date