

## **DETERMINATION AND FINDINGS**

### **FOR**

## **SOLE SOURCE EXTENSION OF AN EXISTING CONTRACT**

**AGENCY:** District Department of Transportation  
**CONTRACT NO.:** DCKA-2009-C-0094  
**CAPTION:** Asphalt Mix  
**CONTRACTOR:** Fort Myer Construction Corporation

### **FINDINGS**

1. **Authorization:**

27 DCMR 1700 and 2005.6(b); Section 404 of the Procurement Practices Act of 2010

2. **Minimum Need:**

The District of Columbia Department of Transportation (DDOT) has an immediate need for bituminous hot mix, bituminous cold mix asphalt and tack coat emulsion to be used year- round. The period of performance shall be date of award of this extension through three (3) months.

3. **Estimated Reasonable Cost:**

\$250,000.00

**Facts Which Justify Sole Source Procurement:**

- A. The current contract expires May 6, 2015. The District needs to extend this contract for an additional three (3) months beyond the contract end date to allow the competitive process for a new five (5) year contract to be completed. DDOT is responsible for filling approximately 65,000 to 85,000 potholes a year within 48 hours of a citizen's initial call/request to the 311 One Call System. DDOT is mandated to maintain roads in a safe and passable condition at all times.
- B. Hot mix is manufactured at temperatures between 270°F and 325°F. Depending on the environmental conditions and the distance from the hot mix plant to the project, the temperature can lose 5°F and 25°F during transport. If the temperature of the mix drops below 300°F, it could be rendered unusable. There are no other contractors, within a reasonable radius (no more than ten (10) miles) of DDOT's W Street Site, capable of providing the hot mix at the temperatures required for use.

- C. No other contractor can provide the service without a significant mobilization period would occur of at least one (1) month. The asphalt mix must be in accordance with the specifications set forth in DDOT's Standard Specifications for Highways and Structures. All Contractors' asphalt mixes must undergo testing by DDOT's QA/QC Division prior to use in any paving efforts.
- D. For the extension period, the Contractor will maintain the Option Year 4 pricing.

4. **CERTIFICATION OF AGENCY HEAD:**

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

\_\_\_\_\_

Date

\_\_\_\_\_

Leif Dormsjo  
Director, District Department of Transportation

5. **CERTIFICATION OF 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 27 DCMR 1304 and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

\_\_\_\_\_

Date

\_\_\_\_\_

Courtney B. Lattimore  
Deputy Chief Contracting Officer

**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 extending the current contract on a sole source basis.

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Date

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Nancy K. Hapeman  
Interim Chief Procurement Officer