



HEADQUARTERS, UNITED STATES FORCES, KOREA

UNIT # 15237  
APO AP 96205-0010

REPLY TO  
ATTENTION OF:

Office of the Judge Advocate

26 September 2003

MEMORANDUM FOR Chief, Construction & Supply Division, U.S. Army Contracting Command Korea (USACCK), Unit #15289, APO AP 96205

SUBJECT: Approval of Request to Place Orders Exceeding the Guaranteed Minimum with Dura Corporation under ID/IQ Contract No. DAJB03-02-D-0030, Repair and Turnover Maintenance for Yongsan and Hannam Village Family Housing

1. **BACKGROUND:** The contracting officer has requested authority to place orders above the guaranteed minimum under the repair and turnover maintenance for the Yongsan and Hannam Village family housing with Dura Corporation pending award of a replacement contract. (Enclosure 1) Dura Corporation and two of its corporate officers were proposed for debarment on 8 August 2003 for violating the Procurement Integrity Act and for paying a bribe to the former commander of the USACCK in January 2002. Responses to the proposed debarment are due on 30 September 2003. DFARS 209.405-1(b) requires the Suspension and Debarment Official to state in writing the compelling reasons for placing orders exceeding the guaranteed minimum under indefinite quantity contracts with firms that have been proposed for debarment. The Chief, Contract Appeals Division, who assumed the duties formerly performed by the Chief, Procurement Fraud Division, has concurred with this action as required under AFARS 5109.405. (Enclosure 2)

2. **COMPELLING REASONS:** Compelling reasons exist to approve this request. This contract provides necessary repair and maintenance services for military housing in Area II. The Contracting Officer has informed the requiring activities that he does not intend to exercise the second option period in February 2004; however, the Contracting Officer needs approximately six months to prepare a new solicitation and award a replacement contract. An interruption in the performance of these services currently performed by Dura could place soldiers and their families in an unsafe environment and could significantly increase the Government's temporary lodging expenditures to house soldiers and their families outside of military family housing.

  
Kent R. Meyers  
Colonel, U.S. Army  
Suspension and Debarment Official

Enclosures: as stated

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