

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:**

Department of Veterans Affairs, NCO 20, VISN 20 is proposing a "Justification for Other Than Full and Open Competition" for emergency bed bug eradication procurement for the Alaska VA Healthcare System (AVAHS), a 50-bed Homeless Veterans Domiciliary. This proposed sole source procurement is accompanied by 2237# 463-14-1-737-0014.

2. **Nature and/or Description of the Action Being Processed:**

The proposed contract action provides emergency eradication of bed bugs from the Alaska AVAHS 50 bed domiciliary for 6 months. This action is a request for other than full and open competition for a contract with RCB Enterprises, DBA: Eagle Pest Control and Tree Service. Eagle Pest Control and Tree Service is the sole provider of bed bug eradication using the heat method in the Anchorage, Alaska area that processes the necessary experience and services to meet the needs of this action.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The contractor shall furnish all supervision, labor, materials, tools, supplies, equipment, transportation and applicable licenses and permits necessary to perform bed bug eradication and control for the Alaska VA Healthcare System at the Domiciliary, Veterans Industry, and Transitional Housing units in a manner that ensures the health and general well-being of patients, staff, and visitors. As part of the contractor's proposal, a Pest Management Plan shall be provided for the treatment of bed bugs. All infestations will be addressed until complete elimination of pests, with routine surveillance, and follow-up treatment provided per requirements for a 6 month period of performance. These expected services will need to be acquired on an as needed basis for 6 months with a not to exceed amount of \$60,000 during the 6 month period of performance.

There is a 6 month period of performance as bed bugs can be eradicated one day and the very next be brought back into the facility by a Veteran without knowing they have bed bugs. Therefore, this order will be bulk funded for 6 months to ensure eradication can take place as required during the period of performance.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

*41 USC §253(c)(1), as implemented by FAR 6.302-1.*

- (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- (2) Unusual and Compelling Urgency per FAR 6.302-2;
- (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;

- ( ) (4) International Agreement per FAR 6.302-4
- ( ) (5) Authorized or Required by Statute FAR 6.302-5;
- ( ) (6) National Security per FAR 6.302-6;
- ( ) (7) Public Interest per FAR 6.302-7;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

In order to ensure the VISN 20, Alaska VA Healthcare System (AVAHS) 50-bed Homeless Veterans Domiciliary continues to provide necessary care and residential services to veterans in the Anchorage, Alaska area, bed bug infestation shall be eradicated as soon as possible utilizing the proven method of heat treatment which must be acquired through a Sole Source Procurement. The services to be procured can only be provided by Eagle Pest Control and Tree Service as they are the only vendor able to provide bed bug eradication using the heat method in the Anchorage area in the time frame required. Per FAR 6.302-2 (a) (2) (b) (2), the services provided Eagle Pest Control and Tree Services to eradicate bed bugs is of such an unusual and compelling urgency the Government, specifically Veterans, would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals, full and open competition need not be provided for.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

The items are not available from Unicorn, Ability One, and the one GSA FSS contract holder located in Alaska was contacted and they do not provide heat treatment to eradicate bed bugs. I then did a search in Vet Biz using NAICS 561710 and Alaska which produced no results. In addition, I conducted an SBA small business dynamic search using the NAICS 561710 and Alaska as search criteria which resulted in 4 companies and an additional search using key word "pest" and Alaska which resulted in 3 companies. I then contacted all the vendors, of which either did not respond or stated they did not provide the heat treatment method to eradicate bed bugs with the exception of Eagle Pest Control and Tree Service, the vendor who is being awarded this contract. Since this is an Emergency procurement it was determined to not post the requirement to FBO after conducting the above market research and make a sole source award to a small business.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

I contacted AARD Pest Control who has GSA contract# GS-21F-0019Y to see how much they charge for bed bug eradication even though they are located in Washington State. They do not provide heat treatment for eradication however, they suggested I contact Sprague Pest Control who are the only company AARD is aware of that provides heat treatment.

I contacted Sprague Pest Control to see how much they charge for bed bug eradication in Washington State using the heat treatment method. They said for a space up to 1,000 square feet they would charge \$2,000. In addition, they do provide dog surveillance for bed bugs as well at a cost of \$200/hour.

The services to be procured for bed bug eradication using the heat treatment method in Anchorage, AK will be acquired via an Open Market Small Business Sole Source. Based on the market research above (\$2,000 for up to 1,000 square feet), the proposed prices provide by Eagle Pest Control are exactly half price (\$1,000 for up to 1,000 square feet) for the exact same service as quoted by Sprague Pest Control in Washington State, therefore, it is determined that pricing is Fair and Reasonable per FAR 13.106-3(a) (2).

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

Procurement List Ability One was checked via key words "bed bugs" with no results.

UNICOR was checked with the same key words with no results.

GSA FSS was checked and there are 33 vendors who provide pest control; only one was located in Alaska and did not perform bed bug eradication.

I then conducted a Vet Biz search using NAICS 561710 and Alaska for search criteria which returned no results.

In addition, I conducted an SBA small business dynamic search using the NAICS 561710 and Alaska as search criteria which resulted in 4 companies and an additional search using key word "pest" and Alaska which resulted in 3 companies. I then contacted all the vendors, of which either did not respond or stated they did not provide the heat treatment method to eradicate bed bugs with the exception of Eagle Pest Control and Tree Service, the vendor who is being awarded this contract.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

Market research showed that there are no other vendors in the Anchorage area capable of providing heat treatment to eradicate bed bugs.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

None.

**11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:**

Currently there appears to only be one vendor in Alaska capable of providing heat treatment to eradicate bed bugs. Additional competitors will need to enter the market place before we could compete this requirement in the future.

**12. Approvals in accordance with FAR 6.304**

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Brian Thomas  
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Network Contracting Office (NCO) 20

Date

10-31-2013