

# DEPARTMENT OF VETERANS AFFAIRS

## Justification and Approval

### For

## Other Than Full and Open Competition

#### 1. Contracting Activity:

Department of Veterans Affairs  
Program Contracting Activity Central (PCAC)  
6150 Oak Tree Blvd. Suite 300  
Independence, Ohio 44131

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

The Department of Veterans Affairs Program Contracting Activity Central (VA-PCAC) intends to execute a Service Disabled Veteran Owned Small Business (SDVOSB) Direct award in accordance with VAAR 819.7007 with Barbaricum, LLC. for the procurement of services in support of the Veterans Health Administration (VHA) Workforce Management and Consulting Office (WMCO) National Recruiter Support Initiative. This is a new contract and will be firm fixed price.

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

- a) **Description of Services:** The purpose of this initiative is to provide marketing and advertising support to twenty-one (21) VA recruiters nationwide in an effort to promote VA as an employer of choice and generate interest in coming to work for VA.
- b) **Estimated Dollar Value:** \$490,000.00
- c) **Period of Performance:** One (1) year starting after the award date.

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

38 U.S.C. § 8127(c), Veterans First Contracting Program, as implemented by FAR 6.302-5, Authorized or required by statute.

- ( ) (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
- (X) (5) Authorized or Required by Statute 38 U.S.C. § 8127(c), Veterans First Contracting Program

( ) (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):**

Barbaricum, LLC. has the experience and expertise to provide the required services. This SDVOSB provided several proven instances of successful past performance that are directly relevant to the scope of this effort. Securing Barbaricum, LLC. to provide the work under this contract will successfully allow the marketing and advertising efforts of VHA to continue to promote VA as an employer of choice within the health care industry.

Further, as part of the authority to procure using the sole source method, under VAAR 819.7007(c), the Contracting Officer has validated that Barbaricum, LLC. is currently verified as an SDVOSB concern in the VIP database and will re-verify they are in the database at award.

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

IAW VAAR § 819.7007 Sole source awards to service-disabled veteran-owned small business concerns. (b) "The contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required."

A Request for Information (RFI)/Sources Sought Synopsis (SSS) was released on April 26, 2013 to General Services Administration (GSA) e-Buy! under synopsis number VA701-13-I-0179. Of the RFI responses, one (1) SDVOSB and one (1) Veteran Owned Small Business (VOSB) responded to the RFI. Upon reviewing the capability determinations, the SDVOSB was determined to be reasonably capable of fulfilling the requirement. And, as stated above, is registered in the VIP database. Further, the VOSB respondent was determined to be marginally capable of fulfilling the requirement, but is not certified in the VIP database as required by the VAAR to be considered for SDVOSB/VOSB set-aside actions.

Pursuant FAR 10.0002(b)(1), the RFI was published within eighteen (18) months and the results have been determined to be current, accurate, and relevant given the scope of the requirement is very similar.

A Notice of Intent to Sole Source was published to Federal Business Opportunities (FBO) on October 3, 2013.

Consistent with the guidelines of the Veterans First Contracting Program, the proposed action described herein will be synopsisized on the Federal Business Opportunities Page in accordance with FAR 5.

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

No award shall be made until the Contracting Officer determines the price to the Government to be fair and reasonable. This determination will be based on a comparison of current contract pricing, the Independent Government Cost Estimate, other information made available, and the Barbaricum, LLC. proposal.

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

A Request for Information (RFI)/Sources Sought Synopsis (SSS) was released on April 26, 2013 to General Services Administration (GSA) e-Buy! under synopsis number VA701-13-I-0179. Twenty-four (24) responses received. Of the responses there was (1) SDVOSB, one (1) VOSB, three (3) 8a businesses, four (4) large businesses, seven (7) woman owned small businesses, and eight (8) small businesses. Upon reviewing the capability determinations, the SDVOSB was determined to be reasonably capable of fulfilling the requirement by Mr. Darren Sherrard, Program Manager, WMCO. Further, the SDVOSB is registered in the VIP database (See Attachment 1). The VOSB respondent was determined to be marginally capable of fulfilling the requirement, but is not certified in the VIP database as required by the Veterans Affairs Acquisition Regulation (VAAR) to be considered for SDVOSB/VOSB set-aside actions.

Pursuant FAR 10.0002(b)(1), the RFI was published within eighteen (18) months and the results have been determined to be current, accurate, and relevant given the scope of the requirement is very similar.

A discussion was held with a point of contact from Barbaricum, LLC on October 1, 2013 to discuss the firm's interest and verify capabilities. The point of contact confirmed that the firm is very interested in the requirement and capable of performing the work.

A Notice of Intent to Sole Source was published to Federal Business Opportunities (FBO) on October 3, 2013. Once the Notice was published, an email was received from a SDVOSB inquiring about the requirement. An email was sent back to the vendor requesting a capability statement detailing the firm's capabilities as it relates to this effort. It was requested that this capability statement be provided to the Government no later than October 11, 2013. Consequently, the capability was not received by the Government as requested and there were no further correspondences received from the SDVOSB.

Based on the above, Barbaricum, LLC was the only SDVOSB/VOSB both found reasonably capable of fulfilling the requirement and Vetbiz certified in the VIP database.

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

None

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

Barbaricum, LLC  
718 7<sup>th</sup> Street Suite 302, NW  
Washington, DC 20001

**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:**

The contracting and program office will continue to do market research to assist in identifying additional SDVOSBs and VOSBs that are capable of performing this work with the intent to pursue future awards as competitive.

**12. Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and 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.

\_\_\_\_\_  
Darren Sherrard  
Associate Director for Recruitment  
Marketing  
Workforce Management and Consulting Office

\_\_\_\_\_  
Date

**13. 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.



15 Oct 2013

\_\_\_\_\_  
Joseph Senkovich  
Contracting Officer  
Program Contracting Activity Central

\_\_\_\_\_  
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Richard Dahmen  
Program Contract Manager  
Program Contracting Activity Central

\_\_\_\_\_  
Date