

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 10, Chillicothe, Ohio Medical Center
2. **Nature and/or Description of the Action Being Processed:** Brand Name Justification for construction project to renovate the second floor of building 212 for project 538-14-100 entitled Consolidate Admin Space and Resolve Environmental Conditions, B212CD. In addition to rehabilitation of existing office areas work includes the complete renovation of four restrooms, addition of two small break rooms and a communications closet. HVAC improvements include adding forced-air heating/cooling with ventilation. The project also includes replacement of certain electric components and extensive roof repair. This will be a firm fixed price contract and will be awarded as a new contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The contract work includes replacement of an estimated 10% of the entire field of clay roofing tiles. The existing roofing tiles are a unique product manufactured by Ludowici Roof Tile of New Lexington, Ohio. To protect the long-term viability of the building against damage due to water intrusion, it is imperative that the roof not leak. The only way to assure that the replacement tiles will perfectly fit with the existing field, and thus not leak, is to use the same proprietary product.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - X) (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):** The Chillicothe, Ohio VAMC has existing roofing tiles which need replaced on building 212 and these tiles need to fit perfectly. To protect the long-term viability of the building against damage due to water intrusion, it is imperative that the roof not leak.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The facility has requirements for this equipment to be covered by the warranty contract.

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7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is in the best interest of the government to use this product. The pricing is in line with pricing provided to the vendor's other commercial customers, and is considered to be fair and reasonable. The pricing for the entire project will be determined to be fair and reasonable to the government based on competition and commercial price lists as applicable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Since these tiles are the only clay tiles the VA can use on this building to ensure a perfect fit so there won't be leaks. The only way to be assured that the replacement tiles will perfectly fit with the existing field, and thus not leak, is to use the same proprietary product.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** N/A
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:** No action can be taken in the circumstance due to the equipment being under warranty and the need to maintain this warranty.
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.


STEVE BENSON
Chief, Facility Management
Chillicothe VA Medical Center (538)y

05/01/2014
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.

joseph.boggs Digitally signed by
joseph.boggs@va.gov
DN: cn=joseph.boggs2@va.gov
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2@va.gov
JOSEPH BOGGS
Supervisory Contracting Officer-Opal Team
NCO 10

Date

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

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A handwritten signature in black ink, appearing to read "Donald Tam", written over a horizontal line.

DONALD TAM

Supervisory Contracting Officer-Amethyst Team
NCO 10

5-12-2014

Date