

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval  
For  
Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 15 NCO, 3450 S 4<sup>th</sup> Street, Leavenworth, KS 66048; on behalf of the Great Lakes CMOP located at 5<sup>th</sup> Avenue & Roosevelt Rd, Hines, IL 60141-3030. Following is the Justification for Other Than Full and Open Competition corresponding with purchase request number **765-14-4-066-0042**.
  
2. **Nature and/or Description of the Action Being Processed:** The action being processed is the purchase and installation of office and support services furnishings as part of a renovation to approximately 30,000 square feet of administrative area resulting from the reconfiguration of the CMOP interior spaces to accommodate upgrades and efficiency improvements to the pharmacy production activity. This is to be acquired by way of firm-fixed-pricing of **\$369,323.88** using the Simplified Acquisition Procedures outlined in FAR Part 13.
  
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The supply items being acquired are office furnishings including desks, file cabinets, book selves, cabinetry, conference tables, and seating; break room area furnishings to include tables, cabinetry, and seating; general office furnishings to include partitions for the formation of cubicles with sliding doors to provide noise reduction. This renovation of the interior spaces at the Great Lakes CMOP is required to bring the office and break room areas up to code, to accommodate, additional staff, and to reconfigure the functional areas to facility workflow in the pharmacy production area(s) of the facility.
  
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302 Circumstances Permitting Other than Full and Open Competition.  
  
  - ( ) (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 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 supplies and services required by the Agency are authorized or required by statute in accordance with FAR Subpart 8.002 Priorities for Use of Mandatory Sources. Upon ascertaining that no inventories of the Agency (including items currently in use) would meet the update code requirements of this space, and that

no excess from other Agencies were available, or would also not meet the update requirements, Federal Prison Industries (FPI/UNICOR) is the next priority for obtaining all of the furnishings and accessories required to meet the Agency's need in this project.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** FPI/UNICOR is a mandatory source for these supply items under FAR 8.002. In accordance with the requirements of FAR 8.602(a)(1), market research was conducted to determine that the items listed at the FPI/UNICOR schedule of products are comparable to items available from the private sector in terms of price, quality, and time of delivery. In accordance with the requirements at FAR 8.602(a)(2), a written determination detailing this research and findings are filed in the electronic contract file.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The cost to the Government for the instant procurement is a proposed price of **\$369,323.88**. An analysis of items for sale from business entities with a socio-economic status similar to FPI/UNICOR's representative (OEI, Inc. of Ashland, Wisconsin) offered under the GSA's MAS 71 assures both comparability of products and that the proposed price is Fair and Reasonable and represents the best value to the Government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted at the GSA Advantage! web site to determine that the items offered by FPI/UNICOR are comparable in product offerings, pricing, and timely delivery as required under FAR 8.602(a)(1).
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Full and open competition cannot be satisfied where the supplies required are available from the FPI/UNICOR schedule of products and there is no legitimate reason for requesting a waiver.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** This justification is submitted preliminary to making a sole source award to the following enterprise:  
  
Federal Prison Industries/UNICOR (represented by OEI, Inc.)  
320 First Street NW  
Building 400  
Washington, DC 20534
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:** As the requirement to make all qualified purchases is required by statute, there are no actions the Agency can take that would remove this barrier to competition. Subsequent purchases (if any) will make every attempt to comply with the statutory limitations and make no attempt to circumvent the requirements of law.

