

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:**

The Department of Veterans Affairs, NCO 12, Great Lakes Acquisition Center (GLAC), 115 South 84th Street, Milwaukee, WI 53214.

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

The Clement J Zablocki VAMC, Milwaukee, Wisconsin has the need for construction services necessary to "Improve Access and Safety in Building 111" at the Clement J. Zablocki VA Medical Center in Milwaukee, WI. This justification and Authority is for a new firm fixed price contract.

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

The Contractor is to provide construction services that will include the complete Installation of new node for fire alarm system, upgrade pneumatic tube system, complete arc flash study and label applicable panels (in building 111), construct outdoor access stairwell from 1st floor roof to 2nd floor roof mechanical alcove and convert window to roof access door on 2nd floor C-wing South, install push plates and mag lock door hold open on applicable doorways, and repair/replace collapsed buried sanitary line. See the drawings and specifications for additional project details and required work. The Period of Performance is 365 days (from the Notice to Proceed) with an estimated award and kick-off on or about July 21, 2014. An Independent Government Estimate (IGE) was prepared in the amount of \$436,332.00.

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

FAR 6.302-2, An unusual and compelling urgency (e.g., when delay in award would result in serious injury, financial or other, to the Government).

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

This urgent and compelling situation puts the safety of the patients and staff in jeopardy at the Clement J. Zablocki VA Medical Center in Milwaukee, WI. Specifically,

- (a) The alarm system in the building is defective and the alarms go off (turn on – alarm) without cause. This leads to the problem that the alarms may not go off in a real emergency, or in the event of a fire. This poses a danger to the Patients, Staff, Family Members, Construction Workers, and other people that work in and around Building 111. The malfunctioning alarm system that is in violation of building, fire, and safety codes may also result in serious financial damage to the government – should the alarms not work in the event of a real fire.

- (b) ICU equipment must be maintained and this project creates access to that lifesaving equipment – without the dangers of taking the equipment through a locked down mental ward. The same equipment that saves lives (ICU equipment) poses a daily threat to the patients and staff forced to go through the locked down mental health ward to accomplish their jobs. This situation jeopardizes the safety of the V.A. employees, the patients, and related personnel involved in and working around the mental ward (MW). MW patients could gain unauthorized access to dangerous (and expensive) ICU equipment. These circumstances could easily result in serious financial damage to the government.
- (c) The Joint Commission inspections can occur at any time. Building 111 is in violation of safety and building code requirements including failing the arch flash studies. If the Clement J. Zablocki VA Medical Center in Milwaukee, Wisconsin, cannot prove that a contract is in place and that workers are fixing the problems and code violations; the V.A.'s accreditation is in jeopardy.

The compelling aforementioned circumstances precludes full and open competition and any delays in awarding this contract could result in serious injury to the patients, staff, family members, to include financial damage to government property due to the failing fire alarm systems, violations of fire, safety, and building codes to include the unsafe access route to ICU equipment. The Clement J. Zablocki VA Medical Center in Milwaukee, Wisconsin, needs an in house/mobilized (CVE verified Service Disabled Veteran Owned Business) contractor with detailed knowledge of Building 111's infrastructure that can begin work immediately. US VET, LLC fits the V.A.'s needs and requirements for this project and US VET has extensive knowledge of the requirements in and around Building 111. US VET is able to begin work from the day of contract award.

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

Please refer to Attachment 1 (Memorandum for Record) referencing a low coefficient issue. Competition is no longer an option due to Patient, Staff, Building, and Fire Safety being jeopardized. It is in the government's best interest to award this project as a Sole Source procurement.

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

An Independent Government Estimate (IGE) was prepared utilizing R.S. Means Cost works software. The anticipated cost for this project was determined to be \$436,332.00. A detailed price breakdown will be provided by the contractor. The Government will perform price analysis and pricing will be evaluated to determine that the proposed price is fair and reasonable.

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

This is an unusual and compelling urgency; GLAC performed market research to identify a contractor capable of starting work immediately with extensive knowledge of Building 111. The research revealed US VET fit the V.A.'s needs for this project.

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:

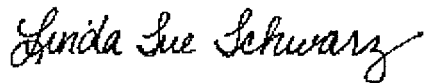
None, this is an unusual and compelling urgency and the requirement was not synopsized.

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 GLAC is currently working on a Multiple Award Task Order Contract (MATOC) that will be awarded in 1st quarter FY15.

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.



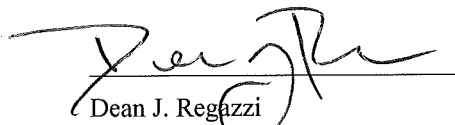
Linda Sue Schwarz
Deputy Director, Facilities Management
Clement J. Zablocki VAMC

May 29, 2014

Date

1. 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.



Dean J. Regazzi
Contracting Officer
NCO-12

07/03/14

Date

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

Christine Hansen
Director of Contracting
NCO-12

Date