

**JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION**

Upon the basis of the following justification, I hereby approve the issuance of the contractual action described below using other than full and open competition, pursuant to the authority cited herein.

**1. Contracting Activity:**

Department of Veterans Affairs  
Veterans Benefits Administration  
Office of Acquisition (20MA)  
Washington, DC 20006

**2. Nature of Action Being Approved:** This justification and approval sets forth the facts and request approval for the issuance of a contract with Jonathan Publishing, 855 Yorks Crossing, Driftwood, TX 78619, pursuant to simplified acquisition procedures IAW FAR 13.5. The intention is to award a sole source purchase order to Jonathan Publishing. The proposed contract base year is estimated at \$70,455.00; plus four option years. Total estimated contract value: \$389,310.00.

**3. Description of Service and Supplies:** The contractor shall review the Federal Register Daily for any Department of Veterans Affairs (VA) offices to amend existing regulations. The contractor will interpret the material incorporating any legal modifications or additions to the existing regulations binding the VA. Once a month, following the schedule of deliverables in the Statement of Work, the contractor shall provide camera-ready hardcopy supplements for the book (A through I), in which any part is the subject of a final rule published in the Federal Register. Supplements shall be numbered consecutively as issued. Each supplement will contain a Highlights section summarizing the changes covered by that supplement and instructions for removal and filing of changed pages in each supplement. The material should be formatted to allow end users to easily remove and insert the updated information into existing loose-leaf editions. All preamble and explanatory notes published with each final regulation in the Federal Register will be analyzed to ensure that all technical and legal changes being made are assembled in a summary statement developed for end users. The contractor will provide Federal Register citations at the end of each section to allow the recipient to check when changes were officially promulgated. The contractor shall also provide electronic files on a CD ROM of the highlights and corresponding section files that are revised to reflect modifications or additions to the existing regulations. The parts of Title 38, CFR assigned to each book are as follows: A (0,1-2, 12, 14-16, 18-20, 23, 25-26, 38-45, 48-49, 74-75); B (3); C(4); D (6,7,8, 8a, 9); B (10, 11); F (13); G (21); H (36); and I (17, 46, 47, 51-52, 58, 61, and 70). The contractor shall make any corrections to the documents requested by VBA and e-mail the pages no later than two workdays following receipt of the request.

**4. Statutory Authority:** The statutory authority of this justification is 41 U.S.C. 253 © and FAR 6.302-1(b)(2), only one responsible source and no other supplies or services agency requirements.

5. **Rationale Supporting Use of Authority Cited Above:** Jonathan Publishing has been providing this service to the Veterans Benefits Administration (VBA) for almost 20 years. They have a proprietary copyright protecting the existing format of the data provided to the VBA. Acquiring a new contractor would require creating a new format that would be complimentary to the existing format and allow existing users to incorporate the supplements into the hardcopy version they keep at their desk. There would be an immediate reduction in productivity while users in our 57 regional offices adjust to the new format and incorporate the most recent updates into their hardcopy documents.

In addition, contracting this service to Jonathan Publishing is a substantial cost savings to the VA. Savings areas would include:

- Federal Register Yearly Subscription
- Printing
- Mailing
- GS 9 Reviewing Federal Register Daily and Coordinating Updates
- GS 13 SME Interpreting Federal Register Notice and Providing Text in Proper Format for Each Corresponding Section of the CFR.
- GS 13 Coordinating Updates into a New Supplement and Creating Highlights File

If this service were performed in-house VBA employees currently on production would individually be tasked to spend hours researching each Federal Register, interpret any VA notices and incorporate any amendments or additions into existing policy.

VBA has had a cooperative and professional relationship with the contractor for almost 20 years. Requests for corrections are done in a timely manner and this service saves thousands of dollars a year in lost productivity and is invaluable to our users who do not have to interpret the information themselves.

6. **Description of Market Research:** Outside sources have been queried and none were familiar with these filing procedures or knowledgeable about the subject matter.

7. **Determination of Fair and Reasonable.** Given the direction of FAR 13.106-3 (a)(vii) the Government will negotiate with the vendor for final pricing. We intend to issue a firm fixed priced purchase order.

8. **Other Supporting Data:** N/A

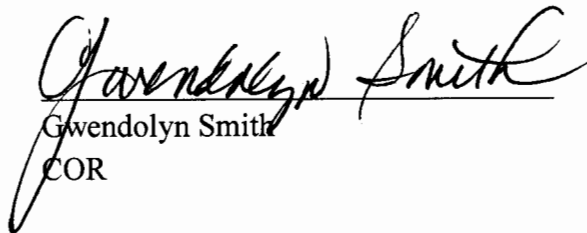
9. **Other Interested Source:** None

10. **Future Barriers to Competition:** None

Electronic CFR Loose-Leaf Edition Justification

I certify that this justification is complete and accurate to the best of my knowledge and belief.

**Technical/Requirements Cognizance**

  
Gwendolyn Smith  
COR

6/16/14  
Date

Concur/Non-concur

\_\_\_\_\_  
Vernon Mario Quilici  
Contracting Officer

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Date