

Attachment 2: Request for Sole Source Memo

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, *VHAANN Ann Arbor Medical Center. 506-14-3-522-0732*

Nature and/or Description of the Action Being Processed: New Firm-Fixed Price PO for needed upgrades on both East Parking elevators. The existing power units are leaking along with the door equipment deteriorating beyond repair. Both items are becoming a public safety risk that we feel needs addressed immediately. This is a firm-fixed-price repair.

2. **Description of Supplies/Services Required to Meet the Agency's Needs:** Provide material to upgrade both East parking structure Elevators. The material lead time is approximately 10-12 weeks. The work itself will take approximately 22 days or 11 days per elevator.

Total Price: \$89,680.00

Period of Performance: Work will commence immediately and will take 22 days to complete.

Vendor: Schindler Elevator Corporation
28451 Schoolcraft Road
Livonia, MI 48150

3. **Statutory Authority 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
 (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;

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

Schindler currently holds the maintenance contract, so they need to do the repairs to avoid voiding the warranty.

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

No market research was conducted because Schindler Elevator holds the current service contract.

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

Fair and Reasonableness will be determined based on the following description of a similar project.

1) We recently did a project with Schindler in early 2014 for a new power unit on the Nursing Home #3 elevator along with a soft starter which cost a total of \$19,942 via PO# 506-C40158. Our supplier, Schindler additionally provided a door operator upgrade exactly the same in scope of work in that they were replacing the door operator, plus all related equipment including new doors on a 6 stop elevators and both East Parking Ramp elevators are 4 stops. The total cost was \$34,762.00 back in late 2012. Thus you could probably remove \$5,000 for the 2 floor differential but we are still talking \$30k and almost \$18k for the power unit (subtract the soft starter cost) which puts you at \$48k which is actually far above the proposed total of \$44,840.00 per elevator.

7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Schindler holds the current maintenance contract and maintenance research will be conducted upon expiration of their agreement.

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

Schindler elevator has our maintenance contract and work on all the equipment on a daily basis. If another vendor is utilized to perform the work and any issues arise in the future on that elevator it will become a conflict of whose responsibility the work is thus potentially causing the VA more money. Thus, we strongly recommend and request sole source authorization to Schindler Elevator Corporation to perform this work.

9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** "See Section VI above."

10. **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:**

Market will be surveyed upon expiration of the existing service contract with Schindler.

11. **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.



Lisa Briegel
Program Assistant
VHAANN, Ann Arbor

8-12-14

Date

12. **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.

Name
Title
Network 11 Contracting Office

Date

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

Name Date
Director of Contracting/Supervisory Contract Specialist (as appropriate)
Network 11 Contracting Office

- c. **SAO (If over \$650K)**: I certify the justification meets requirements for other than full and open competition.

Ricky L. Lemmon Date
SAO Director
Central Region

- d. **VHA HCA Review and Approval**: I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$12.5 million) or approve (\$650K to \$12.5 million) for other than full and open competition.

NORBERT S. DOYLE Date
Chief of Procurement and Logistics Officer
VHA, Head of Contracting Activity (HCA)

- e. **VA Deputy Senior Procurement Executive Approval (over \$12.5 million but not exceeding \$50 million)**: I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

C. FORD HEARD Date
Deputy Senior Procurement Executive (DSPE)
Assistant Secretary for Acquisition and Logistics
Department of Veterans Affairs

- f. **VHA Senior Procurement Executive Approval (over \$50 million)**: I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

JAN R. FRYE Date
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs