

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval

#### For

### Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, Orlando Medical Center, NCO8, SAOE. The Orlando Activation Contracting proposes to enter into a contract on the basis of other than full and open competition for the Orlando Lake Nona Medical Center in Florida.  
Purchase Request: 675-15-1-6540-0008

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

This is a sole-source procurement using PL 109-461. This is a Firm Fixed Price order for hyper-chlorination service. The proposed contractor is HGS Engineering. This service must be performed immediately, is a follow-up procedure needed to provide as clean and disinfected potable water source as possible for the residents of the Community Living Center and the Domiciliary at the Orlando Lake Nona Medical Center. The potable water supply has been without a secondary disinfectant since July and has required ongoing flushing of the potable water supply to maintain proper levels of free chlorine in the system. Secondary disinfection systems are scheduled to be installed within several days of this hyper chlorination and they will provide the ongoing proper secondary disinfection to the potable water supply.

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

The hyper chlorination must be completed to the potable water lines for the Lake Nona Community Living Center (CLC) and the Domiciliary (DOM) to eradicate as much of the bacterial growth in the potable water lines as possible. The contractor will raise the levels of chlorine in the potable water lines to 200 PPM for a minimum of four hours. They will then flush the lines of this high level of chlorine and test all distal points to have no higher than four PPM of chlorine which is safe for use as potable water. The testing of these distal points will be recorded and a report will be provided to the Orlando Lake Nona Medical Center FMS leadership as a record of completion for both the CLC and DOM. The expected installation of the secondary disinfectant units soon after this hyper chlorination will help maintain satisfactory levels of chlorine dioxide which will provide a safe potable water supply to both the CLC and DOM residents, visitors and personnel.

4. **Statutory Authority Permitting Other than Full and Open Competition:** The statutory authority permitting other than full and open competition is 38 U.S.C 8127(b), as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-5. This authority is Public Law (PL) 109-461, the Veterans Benefits, Health Care, and Information Technology Act of 2006.

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

HGS Engineering, Inc. is a premier engineering, environmental and safety services provider. The contractor is a verified SDVOSB and is teaming with Nalco to provide this service. The original system installed at the Central Energy Plant (CEP) has failed on several occasions thus causing

positive test results of Legionella in the potable water supply at the CLC and putting at risk the residents, visitors and personnel assigned to not only the CLC but to the entire Orlando Lake Nona Medical Center facility. The actions taken to provide a safe source of potable water to all facilities include the hyper chlorination of the potable water supply to both the CLC and DOM as well as a total redesign of the secondary disinfectant systems on the entire medical center site. Nalco has trained staff to not only install proprietary secondary disinfectant units but to safely monitor and service them once installed. The comprehensive services provided by this contractor will provide the facility a safe source of potable water required by Veterans Affairs Directive.

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

This is an emergency and service needs performed this week. A previous service was competitively solicited in July 2014 under RFQ VA248-14-Q-1220. Four offers were received with HGS being the successful offeror.

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

The government estimate was \$36,622. Price will be compared to the previous competitively bid prices that were submitted under RFQ VA248-14-Q-1220.

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

This is an emergency and market research could not be conducted.

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

This supplier has performed this service in the past and service was satisfactory.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

None

**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:**

It is unknown if this service will be required in the future.

**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.

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Stephen Mickulas  
Utilities Foreman, FMS  
Orlando VA Medical Center

\_\_\_\_\_  
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.

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Anita Leitch  
Contracting Officer  
Orlando VA Medical Center

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Date

- b. **Product Line Supervisor (up to SAT):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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Dan Pontoriero - PLS

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Date