

DEPARTMENT OF VETERANS AFFAIRS

**Justification and
Approval For
Other Than Full and Open Competition
(Sole Source)
NRM Project# 618-15-130 TAVR Site Prep, Building 70**

1. Contracting Activity:

NCO 23 Minneapolis
ATTN: Kathryn Crowthers
708 S. Third Street, Suite 200E
Minneapolis, MN 55415

Purchase Request #618-15-1-6977-0015

- 2. Nature and/or Description of the Action Being Processed:** Sole source award of a firm fixed price NRM construction contract to a Woman-Owned Service Disabled Veteran Small Business, for the purpose of the construction of project #618-15-130 titled "TAVR Site Prep", Minneapolis VA Health Care System.

- 3. Description of Supplies/Services Required to Meet the Agency's Needs:** Construction services to install new conduits and raceways for medical devices and a new electrical isolation panel to supply additional power needs for a new medical procedure recently approved by VA Central office. In addition to the electrical needs minor wall repair and painting will be required. Some existing data lines will require rerouting to serve new medical devices and monitors. The Independent Government Estimate for Construction is between \$25,000 - \$100,000. The planned delivery is 38 calendar days after issuance of notice to proceed.

- 4. Statutory Authority Permitting Other than Full and Open Competition:** Authorized by Statute, FAR 6.302-5, Public Law 109-461, Veterans First Contracting.

- ☐ (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;

- 5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Public Law 109-461 authorizes Contracting Officers to sole source awards to Veteran Owned Small Businesses. In this specific situation, the contractor is a woman-owned, service disabled veteran owned small business.

Supporting this business using the authority of PL 109-461 is in the best interest of the Government and serves the public trust by helping to meet established goals for awards to women –owned small businesses.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** None. This action is planned and executed specifically as a sole source acquisition of construction services.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The IGCE has been reviewed and is believed to be accurate.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A search of the Dynamic Small Business Search system was conducted. Search terms were: “women-owned,” “Minnesota,” and “NAICS 236220.” The search produced a list of 24 potential firms. A second search of the Vet Biz database showed that two of the firms were verified as SDVOSBs: Allarea Contractors and Midwest Select Contracting. Allarea is a known, established firm, one of the current VISN 23 MATOC contract holders. The only other firm, Midwest Select Contracting, LLC, is a start-up.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The Department of Veterans Affairs socio-economic goals include women-owned small business.
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:**
Regarding women-owned small business, as women-owned small business increase in number, the long-term intention is to reduce sole source awards and compete appropriate contracts as woman- owned SDVOSB set-asides.
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.



Cathie Joyce
Chief, Projects Section
Minneapolis VA Health Care System

Date 12/17/14

13. Approvals in accordance with FAR 6.304

Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. I certify the justification meets requirements for other than full and open competition.

Kathryn Crowthers
Contract Specialist
Network 23 Contracting Office (NCO 23)

12/17/2014