

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network 11 Contracting Office, 8888 Keystone Crossing, Indianapolis, Indiana in conjunction with the VISN 11 Engineering Officer, Richard L. Roudebush, VA Medical Center, Indianapolis, Indiana. Project Number 583-330.
2. **Nature and/or Description of the Action Being Processed:** Brand name only request for exterior aluminum screens as manufactured by Construction Specialties, Inc. Action is contained within the specifications and/or drawings of a project that will be awarded as a new contract or task order action of the firm-fixed price variety.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** C/S aluminum screen in C/S geometric modular pattern with zero degree slope, total estimated value is \$320,922.22, delivery commensurate with the construction project performance period which is 300 calendar days.
4. **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 (41 U.S.C. 3304(a)(1))
☐ (2) Unusual and Compelling Urgency per FAR 6.302-2 (41 U.S.C. 3304(a)(2))
☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3 (41 U.S.C. 3304(a)(3))
☐ (4) International Agreement per FAR 6.302-4 (41 U.S.C. 3304(a)(4))
☐ (5) Authorized or Required by Statute FAR 6.302-5 (41 U.S.C. 3304(a)(5))
☐ (6) National Security per FAR 6.302-6 (41 U.S.C. 3304(a)(6))
☐ (7) Public Interest per FAR 6.302-7 (41 U.S.C. 3304(a)(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):** The existing exterior architectural screens are this exact product. Using a different manufacturer could result in variations of color, size or shape that could be detrimental to the exterior composition of the building. The new screens will be sandwiched between existing grilles so any disparities in appearance will be readily noticeable from all sides of the building. The garage was originally meant to be a six story facility, but funding limitations made it necessary to split the garage into two projects. Using a different manufacturer from the provider of the existing grilles can lead to the building looking like separate buildings which is not in line with the VA's design intent. The blue grilles will likely fade at differential rates and if the products do not match the difference in fading will be more noticeable. Also, since the product will be a custom product for other manufacturers they will likely cost more than the standard product that is already in place.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research into multiple grille manufacturers who provide similar products was performed during the project. It was determined through this research that other manufacturers would not be compatible with the existing system. Given this information as well as

extensive previous experience it has been established that no other grille manufacturer should be used as previously stated.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price for this work will be unknown since it will be included as a part of the successful bidder's bid under sealed bidding procedures. However, the contracting officer will ensure, based on a determination that adequate price completion for the IFB exists and through the use of price analysis techniques, such as comparison against the Independent Government Estimate and other price analysis techniques that may need to be used, that the price will be fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was performed reviewing manufacturers who could provide similar products to the existing system. Internet research was performed and product cut sheets were reviewed. Ametco and Architectural Railings & Grilles, Inc. were identified as manufacturers providing similar, but not identical products. These products cannot be guaranteed to match the existing grille systems without incurring significant upcharge which is cost prohibitive.
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:** See Section VI above.
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:** No future action is anticipated that could remove barriers to competition between these systems. Utilizing any particular material in a facility elicits a certain degree of repetition needed in future phases in order to match aesthetics.
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.



William R. Jerome
Acting Chief Engineer
VAMC Indy



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.

Aaron S.

Lacy 319250

Digitally signed by Aaron S. Lacy 319250
DN: cn=aaron, dc=va, o=internal
ou=people
#1 2842 19208100 1001 1--aaron lacy@va
gov cn=Aaron S. Lacy 319250
Date: 2015.01.06 13:41:09 -0500

1-06-2015

Aaron Lacy
Contract Officer
NCO11, Indianapolis

Date

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



Al Leonard
Supervisory Contract Specialist
NCO11,

1/15/2015

Date

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

Ricky L. Lemmon
SAO Director
Central Region

Date

- 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
Chief of Procurement and Logistics Officer
VHA, Head of Contracting Activity

Date

- 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
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- 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
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date