

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, 90C/650 Network Contracting Office (NCO-1) – New England. VAMC, 830 Chalkstone Ave., Providence, RI 02908. Purchase Request # – 650-15-2-4940-0039.
2. **Nature and/or Description of the Action Being Processed:** Emergency services for recovery from a frozen sprinkler pipe which burst from the ceiling causing flood damage to Building 35 Lab Room 214.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The sprinkler pipe freezing on 2/20/15 in the Lab Room 214 of Building 35 resulted in the actual pipe bursting and causing a flood within the area. The contractor was contacted by the FMS Supervisor to provide the emergency services for the necessary clean-up immediately on the day (2/20/15) the pipe froze as the water penetrated from the ceiling and onto the walls. The emergency sprinkler pipe repairs include water removal, cleanup of damaged ceiling tiles, drying out of all affected area, removal of water soaked sheetrock, sheetrock replacement and painting.
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;
(X) (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):** The contractor, Enviro-Clean, Inc. has recently responded in January 2015 to clean-up a freeze-up of the fire sprinkler and hot water heating systems in Building 35 which caused a pipe to rupture and a flood resulted. The contractor was called in to do this remediation work because they were still on site completing the earlier flood remediation which occurred on 1/8/15. In 2014 the contractor provided emergency services for sewage back-up within the medical center and has responded immediately with all necessary equipment and personnel who are very familiar with the hospital environment, infection control procedures and surrounding buildings.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This emergency situation required immediate contractor response and Enviro-Clean was

currently performing work in Building 35. Therefore, no other contractors were contacted because of the urgency of the flooding situation.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer and the COR will review the total cost Enviro-clean, Inc. provides based on the information in paragraphs 3 & 5 of this document per the level of effort, nature of work for restoration and rates applicable using FAR Part 37. 301 Labor Standards.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** There was no time for market research by the FMS Supervisor. The month of February, 2015 has been the coldest and snow burden in record history. This was a true emergency and a contractor was needed ASAP to respond. The FMS Supervisor determined Enviro-Clean, Inc. as the best contractor based on their past similar services and the availability of them already being on site. Therefore, Market Research was limited based on the nature of event and information received as explained in the paragraphs within this document.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Unusual and compelling urgency is justified for FMS to seek the immediate remediation services for the bursting pipe from the ceiling in Lab Room 214 of Building 35 to minimize contamination and continue the daily functions performed within this building for safety concerns.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See para. 6 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:** See para. 6 above, justifiable emergency requirement for a bursting pipe located within a ceiling.
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.



Name: Allen Somers
Title: FMS COR
Facility: Providence VAMC

Date 2/26/2015

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.

Sandra Mosca

Name: Sandra Mosca
Title: Contract Specialist
90C/650/NCO 1 – New England

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Date 2/26/2015

- b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Mary Kay Chapman 126637

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Mary Kay Chapman
NCO/PCO XX Director of Contracting or Designee
Facility

Date