

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

1. Contracting Activity: Department of Veterans Affairs, Network 16 Contracting Activity, Overton *Brooks VAMC* Medical Center. The incumbent contract has been extended to the maximum length permissible per FAR 52.217-8. No additional extensions are possible; the contract expires March 31, 2015.

2. Nature and/or Description of the Action Being Processed: The time between award of the new contract and expiration of the incumbent contract expires March 31, 2015. The Government will be substantially injured if the bridge contract is not implemented. Failure to properly dispose of hazardous waste materials will put VA employees, patients and the local population at risk due to environmental hazards.

Regulated Medical Waste (RMW) includes but is not limited to items contaminated with blood and body fluids/waste, trace chemotherapy wastes, sharps, pathological and microbiological waste or other potentially infectious materials. Trace chemotherapy is separated from other wastes and labeled for incineration. Trace chemotherapy is defined as vials or other containers that have less than 3% of the original contents by weight, after removing as much of the chemotherapy feasible.

Chemotherapy and Cytotoxic Waste shall be disposed of as hazardous waste in accordance with U.S. Environmental Protection Agency Code of Federal Regulations 40 CFR Parts 260-265 and Veterans Health Administration Information Letter IL 10-2004-019. A Uniform Hazardous Waste Manifest must be signed by and a copy provided to the COR for Overton Brooks VAMC prior to any shipment of hazardous waste to verify the waste was shipped for disposal.

3. Description of Supplies/Services Required to Meet the Agency's Needs: If the current contract expires the facility will be non-compliant with federal, state and local environmental regulations. The facility will be subject to substantial fines and penalties.

Overton Brooks VA Medical Center, located at 510 East Stoner Avenue, Shreveport, LA 71101, hereafter referred to as "OBVAMC", is seeking a full service bridge (interim) contract for the proper disposal of infectious/bio-hazardous, pathological and chemotherapy medical waste. These services shall be rendered while the facility completes award of a permanent long term contract. Services to the VA shall include the offeror providing packaging, labels, pickup, transportation and incineration or other proper approved treatments prior to disposal. Waste shall be picked up Monday through Friday, excluding federal holidays, at building #36 (incinerator building), between the hours of 6:00 a.m and 10:00 a.m. Parking for pick up shall occur in front of building #36. Plastic bags containing waste will be packed in and or container clearly marked as containing biohazard, chemotherapy and pathology waste. The contractor shall provide properly marked boxes and/or containers. The Contracting Officer Representative (COR) will monitor the contractor when waste is being loaded. Contractor is responsible for

proper loading, transporting and disposal of waste in accordance with local, state and federal law. Contractor is responsible for proper clean up of any spill that may occur after the boxes/containers are removed from their storage location in building #36. This medical center at this time generates approximately 1150 pounds of infectious/bio-hazardous, pathological and chemotherapy waste, daily. This poundage is expected to increase in future years. Waste shall be collected and packaged and prepared for transporting by VA personnel. Contractor assumes all responsibility for proper transporting and disposal of waste picked up from OBVAMC. At this time, there are approximately 1000 pounds of bio-hazardous; 50 pounds of chemotherapy; and 100 generated by OBVAMC

Estimated Value \$10,815

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;
- (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):

ADVENT-EDGE Solution Of Middle Atlantic Newark, New Jersey is the incumbent contractor. Award of an interim sole source contract will ensure service continuity is maintained and prevent interruption in service to the medical center. If the current contract expires the facility will be non-compliant with federal, state and local environmental regulations. Additionally, a lapse in service will pose serious risk to patients, employees and the local population. The facility will also be subject to substantial fines and penalties.

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

- EMS searched GSA e-Library.
- EMS reviewed GSA contracts for similar services being offered.
- EMS searched internet for waste disposal contractors.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: In accordance with FAR part 13.106-3 (a) (3) the contracting officer has conferred with the requesting activities technical expert, and has been advised that the price is fair and reasonable based on historical data.

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

- EMS searched GSA e-Library
- EMS reviewed GSA contracts doing business with the government
- EMS searched internet for waste disposal contractors

Additionally, in accordance with FAR part 10.002 the agency relied on recent and relevant market research results. Those results produced multiple potential sources; however, the agency will be seriously injured unless the number of sources is limited as authorized in FAR 6.302-2 "Unusual and Compelling Urgency".

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:

Advent Edge Inc. No other sources were solicited.

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:

None.

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.

Stanley Turner

Stanley Turner
Quality Assurance Specialist
Overton Brooks VAMC

Date 03/04/2015

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.

3/25/2015

X Fredrick L. Wilson

Fredrick L. Wilson

Contracting Officer

Signed by: FREDRICK L WILSON 202512

NETWORK 16 CONTRACTING ACTIVITY
OVERTON BROOKS VAMC

b. CHIEF P&C: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Bennett W. Smith

Bennett W. Smith

Chief, NCO 16, DIV I Services, Team C

3/25/2015
Date