

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1**  
(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements ***explaining the absence of competition*** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

**1. PURCHASE REQUEST OR REQUISITION NUMBER:**

618-15-3-4002-0941

**1A. PROJECT/TASK NUMBER**

15-0941

**1B. ESTIMATED AMOUNT:**

\$129,740

**2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:**

Board-certified Orthopedic Surgeon to provide services as the Associate Chief, Orthopedic Surgery. Services are required part-time, 20 hours per week.

**3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:**

Provider must already be credentialed and privileged with the Minneapolis VA Medical Center. Provider will also be required to provide resident supervision and teaching and must hold an academic appointment with the University of Minnesota.

**4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:**

After market research was conducted and FSS solicitations were attempted, three technically acceptable vendors were located. Dr. Patrick Ebeling, Dr. Alan Hunt, and Dr. Terence Gioe. Dr. Ebeling and Dr. Hunt are not available during the proposed period of performance and as such are not viable candidates for this requirement. Dr. Terence Gioe is technically acceptable, is credentialed and privileged at the Minneapolis VAMC, holds an academic appointment with the University of Minnesota, and is available during the period of performance. In addition, due to the amount of time expended during the multiple solicitations attempting to fill this requirement competitively, there is no longer enough time for anyone other than this vendor to meet the credentialing, privileging, and academic appointment requirements.

**5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:**

Market research was conducted for PSC Q513, NAICS 621111 through VETBIZ, SBA Dynamic Small Business Search and GSA. Zero VOSB/SDVOSB vendors were identified. Several small businesses were located; however, none of these vendors were able to provide a credentialed orthopedic surgeon with the necessary academic appointment. Additionally, multiple FSS-RFQ's were posted to GSA eBuy in an attempt to fill this requirement. None of these efforts were successfully able to meet the needs of the Minneapolis VAHCS.

**6. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: \_\_\_\_\_

Date: **04/29/2015**

Name: **Joel Felberg**

Title: **Contracting Officer**

Facility: **NCO 23 – Minneapolis, MN**

## Posting Requirements for Justifications (J&As) for OFOC

<i>Type of Justification:</i>	<i>Posting Requirements:</i>	<i>Reference:</i>
<b>Open Market:</b>		
<ul style="list-style-type: none"> <li>J&amp;As for Sole Source Exceeding the Micro-Purchase Threshold (\$3K) but not the Simplified Acquisition Threshold (\$150K)</li> </ul>	No Posting Required but Justification must be in the contract file	<a href="#">FAR 13.106-1</a>
<ul style="list-style-type: none"> <li>J&amp;As for Sole Source Exceeding \$150K</li> </ul>	The Justification must be posted on the <a href="#">Federal Business Opportunities (FBO)</a> within *14 days after contract award. *J&As for Unusual and compelling Urgency must be posted within 30 days after award.	<a href="#">FAR 6.305</a>
<ul style="list-style-type: none"> <li>Sole Source J&amp;As under the Commercial Test Program Exceeding \$150K</li> </ul>	Same as above requirement	<a href="#">FAR 6.305</a> and <a href="#">FAR 13.501</a>
<ul style="list-style-type: none"> <li>J&amp;As for Brand Name Acquisitions Exceeding \$25K</li> </ul>	The Justification must be posted on <a href="#">FBO</a>	<a href="#">FAR 5.102</a> and <a href="#">FAR 6.305</a>
<b>FSS Orders and BPAs:</b>		
<ul style="list-style-type: none"> <li>Limited Source J&amp;As for Orders or BPAs Exceeding \$3K but not \$150K</li> </ul>	No Posting Required but Justification must be in the contract file	<a href="#">FAR 8.405-6</a>
<ul style="list-style-type: none"> <li>Limited Source J&amp;As for Orders or BPAs Exceeding \$150K</li> </ul>	The Justification must be posted on <a href="#">FBO</a> within *14 days after contract award. *J&As for Urgent and compelling (IAW FAR 8.405-6(a)(1)(i)(A)) must be posted within 30 days after award	<a href="#">FAR 8.405-6</a>
<ul style="list-style-type: none"> <li>FSS J&amp;A for Brand Name Acquisitions Exceeding \$25K</li> </ul>	Post the Justification long with the RFQ on e-Buy	<a href="#">FAR 8.405-6</a>
<b>Orders Under Multiple-Award IDIQ Contracts:</b>		
<ul style="list-style-type: none"> <li>J&amp;As for Exception to Fair Opportunity for Orders Exceeding \$3K but not \$150K</li> </ul>	No Posting Required but Justification must be in the contract file	<a href="#">FAR 16.505</a>
<ul style="list-style-type: none"> <li>J&amp;As for Exception to Fair Opportunity for Orders Exceeding \$150K</li> </ul>	The Justification must be posted on <a href="#">FBO</a> within *14 days after placing an order. *J&As for Urgency (IAW FAR 16.505(b)(2)(i)(A)) must be posted within 30 days after placing an order	<a href="#">FAR 16.505</a>
<ul style="list-style-type: none"> <li>J&amp;As for Brand Name Acquisitions</li> </ul>	The Justification must either be provided along with the solicitation to all contract awardees	<a href="#">FAR 16.505</a>
<b>8(a) Sole Source Exceeding \$20M</b>		
<ul style="list-style-type: none"> <li>J&amp;As for Sole Source 8(a) Contract Exceeding \$20M</li> </ul>	The Justification must be posted on <a href="#">FBO</a> within *14 days after placing an order.	<a href="#">FAR 6.303-1</a> and <a href="#">FAR 6.305</a>

## Felberg, Joel R.

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**From:** Hendrix, Scott E.  
**Sent:** Wednesday, April 29, 2015 7:06 AM  
**To:** Felberg, Joel R.  
**Subject:** RE: J&A review

Joel,

I suggest putting something in there that he is the only available source because of the time services are required. With unlimited time, any other provider would be able to get credentialed.

Respectfully,

Scott E. Hendrix  
Contracting Officer  
Network Contracting Office 23  
708 South Third Street, Suite 200E  
Minneapolis, MN 55415  
612-344-2146  
612-333-3667 fax



“INTEGRITY, COMMITMENT, ADVOCACY, RESPECT, AND EXCELLENCE – these are our goals.” As our client, please take a few moments and let us know how we did by completing the attached [SURVEY](#).



***“Delivering Client Centered Acquisition Solutions”***

**NOTE – I telework on Wednesdays; please use email and/or Lync to contact me**

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**From:** Felberg, Joel R.  
**Sent:** Tuesday, April 28, 2015 4:42 PM  
**To:** Hendrix, Scott E.  
**Subject:** J&A review

Scott,

Per our discussion this afternoon, would you please take a quick look at the attached J&A for my associate ortho service chief requirement?

Thank you in advance.

**Joel Felberg | Contracting Officer**  
Department of Veterans Affairs | NCO 23  
708 S. 3<sup>rd</sup> St. Suite 200E | Minneapolis, MN 55415  
612-344-2168 | [joel.felberg@va.gov](mailto:joel.felberg@va.gov)

**PLEASE NOTE – I telework on Mondays; please use e-mail and/or Lync to contact me.**

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As our client, please take a few moments and let us know how we did by completing the attached **SURVEY**.