

FAR 8 - JUSTIFICATION FOR LIMITING SOURCES <\$150K

Acquisition Plan Action ID: VA243-15-AP-4795

1. Description of Action:

Nature: ☒ Follow-on Order

Order against: ☒ FSS Contract Number: GS-21F-041BA

Name of Proposed Contractor: Ninety Five South
Street Address: 225 Montauk Highway
City, State, Zip: Moriches, NY 11955
Phone: 631.281.5346

2. Description of Supplies or Services:

The estimated value of the proposed action is \$ 114,457.68

The contractor shall provide all personnel, equipment, tools, vehicles, materials, supervision, and other items and services necessary to perform all operation, maintenance and repair tasks and functions for NYHHCS as defined in site-specific statements of work for VA NYHHCS – New York campuses.

3. Authority:

ORDER AGAINST FSS: Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

☐ An urgent and compelling need exists, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));

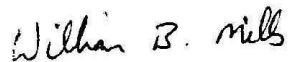
☒ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#)) or

☐ In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order was not previously issued under sole-source or limited-sources procedures.** ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#))

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 1: Justification for Limiting Sources \$3K up to \$150K

Rational/explanation to support cited authority: This requirement is to ensure a continuance of facilities maintenance services while a long-term FSS task order award is competed and awarded. Currently, Contract VA243-P-1128 and FSS task order award GS-21F-041BA, VA243-14-F-2686 are in place covering services provided by contractor Ninety Five South INC., but both expire 9/30/2015. This proposed interim task order award is essential in providing uninterrupted critical services while continuing the formal process of drafting and reviewing a long-term solicitation that is anticipated to be awarded by 1/01/2016. Interim services are required on 10/01/2015. Ninety Five South INC. is the current interim contractor and is a responsible source specializing in housekeeping services and is qualified to meet or exceed the minimum requirements of this acquisition. In consideration of these minimum requirements necessary to perform these services that are critical to the operational readiness of the medical center, it is unrealistic and infeasible to solicit a task order award with any source other than Ninety Five South, INC. Ninety Five South, INC. has the ability to continue these services with their incumbent workforce. They provide qualified personnel that are already experienced, trained, and possess the proper security clearances and satisfy the background check requirements. The incumbent contractor doesn't require a transitional phase for continuity of services and operational readiness. Any other source would be required to conduct the required transitioning efforts including several weeks of transition including familiarization, training, and security screening background checks. This requirement could not be met by any other source without incurring unacceptable delays.

4. BRAND NAME ONLY: Not applicable.
5. Note that this determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.


WILLIAM B. MILLS
Contracting Officer
Date: 9/19/2015