

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.

2. **Nature and/or Description of the Action Being Processed:** This project is named "Renovate and Expand Endoscopy" and the purpose is to provide a multi-phased project that will enhance delivery of Endoscopy specialty care by expansion and updating infrastructure and finishes. The project will renovate 14,000 square feet located on the second floor of the Wade Park facility. In addition to enhancing patient services all renovated areas will receive new HVAC, electrical, plumbing, and architectural systems to address multiple Condition gaps. The project will also impact the medical Center's Space, Utilization, and Energy Gaps.

The first phase of the project will renovate the existing inpatient dialysis suite for 3 new procedure rooms, reprocessing room, and 7 patient recovery beds. This first phase of renovations will provide new HVAC, Electrical, Plumbing, and Architectural systems addressing the Space, Energy and Condition gaps. This phase will also include a 900sf addition on the existing adjacent courtyard roof requiring roof modification of an inverted roof system with paver tile.

The second phase of the project will backfill the vacated Endoscopy Suite and renovate for a new PACU suite. This phase will better locate PACU with the surgery suite and renovate the area providing new HVAC, Electrical, Plumbing, and Architectural systems addressing the Space, Energy, and Utilization gaps.

The third phase of the project will renovate the vacated PACU space for 3 additional procedure rooms for the Endoscopy suite and provide an additional reprocessing room, 10 recovery beds, waiting room, and office space.

The fourth and final phase will make final connection of Phase 1 and 3 resulting in an in suite toilet room and two additional recovery beds.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** TClear pavers are the roof systems bonded ballast and insulation used on the courtyard roof and new addition. It creates a low weight ballast system that the existing structure can support. It also creates a protective layer over the membrane which prevents accidental puncture and UV degradation. The estimated value of the insulation and bonded concrete ballast is \$8,000.

4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).

( X ) (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.)** The medical center is actively replacing aging roof systems with a protected room membrane assembly. We have several existing roofs that are structured in such a way that they can't support the added load of a ballasted roof. The TClear insulation pavers offer a low weight interlocking system that protects the membrane and provides the necessary insulating values needed. The medical center prefers to have one type of roof system that makes maintenance of the system easier for our future modifications. Currently this system is only produced by TClear in the United States.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This procurement will be competed and synopsisized on Fed Biz Ops ( [www.fbo.gov](http://www.fbo.gov)) and will indicate the requirement for brand name specification for the TClear Pavers. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated that two (2) or more bids will be received through the sealed bidding process. If two (2) or more bids are received then the cost of the entire project will be considered fair and reasonable to the government based on competition.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Medical center has investigated the ability of other paver manufactures to meet the requirements of the system weight and performance. TClear pavers are the only known manufacturer within the United States and sells direct from manufacture.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. See Items 5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None. (A Market Survey will be completed on the entire construction project).
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:** Not Applicable – See Item 5.
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.



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Jason R. Traggiai  
Architect, COR  
Louis Stokes Cleveland VAMC

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12/01/2015

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.

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Donald P. Tam  
Contracting Officer  
Network Contracting Office (NCO) 10

\_\_\_\_\_  
4-8-2016

Date

- b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.

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Terry L. Spitzmiller  
Director of Contracting  
Network Contracting Office (NCO) 10

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Date