

Attachment B: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, VA Pittsburgh Healthcare System, University Drive Division. Acquisition & Material Management. 2237#646-12-1-5079-0086; 0087; & 0088.

2. **Nature and/or Description of the Action Being Processed:** Sole Source Award to Diversified Resources, L.L.C., for additional maintenance services totaling \$36,159.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Additional Generators Maintenance Services to account for the increased size of replacement generators, that were purchased to replace older generators at University Drive Facility, and to account for the adding of one new generator at University Drive and one new generator at HJ Heinz Facilities, due to building expansion.

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC 253 (c) (1), as implemented by FAR 6.302-1.

- () (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
- (X) (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 Department of Veterans Affairs (DVA) has an existing Contract for Semi-Annual Generators Maintenance Services, with Diversified Resources, LLC, which the Government has decided to exercise Option Year 2 of the Contract. The DVA has a need to add additional generator maintenance services to this contract for Option Year 2, as defined above. Pursuant to the Authority at 38 U.S.C. Section 8127 (b), which allows the DVA to use other than full an open competition procedures, the VA is awarding the additional generator maintenance services to Diversified Resources, L.L.C., since this Contractor has

been deemed responsible and their proposed price for the additional services, has been deemed to be fair and reasonable, by the COTRs and Contracting Officer.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** N/A. The DVA has the authority to Sole Source (See above). However, the requirement was previously synopsized on Fedbizopps, and there were no inquiries or objections.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

According to the COTR and a negotiation performed by the Contracting Officer on the Contractor's first Quote, that resulted in the Contractor lowering their price by \$6,509, the Contracting Officer has deemed the Contractor's price for the additional services to be fair and reasonable.(See attached emails and quotes).

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was conducted to determine if the items were commercially off the shelf items, and therefore considered Commercial Items, since the services are used by the public for non-governmental use.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

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:** NA. However, the Justification and Approval Document will be published to Fedbizzops within 14 days of award.

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.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

Name

Title

Facility

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.

Ronald Mazzer
Name Ronald Mazzer
Title Contract Specialist
Facility IT Itemz

12/7/11
Date

- b. VISN/PCA QA: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name
Title
Facility

Date

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

John A. Pawlik for
Name DAVID STAUB
Network Contract Manager
VISN/PCA

12/8/11
Date

- d. SAO: I certify the justification meets requirements for other than full and open competition.

Name
Director
Service Area Office, East

Date

- e. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

Norbert Doyle
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- f. **VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Iris B. Cooper
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- g. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date