

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

**1. Contracting Activity:**

Justification for other than full and open competition, sole source request  
Department of Veterans Affairs Health Care System  
Network 23 Contracting Office, Station 438, Sioux Falls, SD  
Purchase request number: 438-12-1-353-0012  
The Contracting Officer is Crystal Dobbins, and the Contract Specialist is Kelly Nussbaum

**2. Nature and/or Description of the Action Being Processed:**

This is an individual justification and approval for other than full and open competition (a sole source purchase request) for an NRM construction project at the Sioux Falls, SD VA to do a site preparation for SPD pass-through washers.

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

This is a firm fixed-price construction project that will provide site preparation for the installation of two new washer/disinfectors, including the de-installation of one existing washer/disinfector. Infrastructure repairs include replacement of a sewer riser, flooring, and ceiling, as well as installation of hot and cold water, steam, waste, condensate, electrical, exhaust, air exhaust, and telephone connections for the installation of the washer disinfectors. The expected period of performance is 14 calendar days from the date of the notice to proceed. The anticipated dollar value of the project is \$30,000.00.

**4. Statutory Authority Permitting Other than Full and Open Competition:**

FAR 6.302-5, Authorized or Required by Statute under the authority of Public Law 109-461 38 U.S.C. 8127 – Veterans First Contracting Program.

**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 majority of the construction required under this project is small dollar construction services to complete the site preparation for the installation of two new washer/disinfectors in the SPD Department. Dakota Electric, Inc. is a Service Disabled Veteran Owned Small Business (SDVOSB) contractor who has the capabilities to complete the required work under the NACIS code 236220 listed in the solicitation. Public Law 109-461 38 U.S.C. 8127 – Veterans First Contracting Program authorizes the use of non-competitive procedures for small contracts, and to enter into contracts with small business concerns owned and controlled by veterans.

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

Per FAR Subpart 5.2, a synopsis is required and will be posted to the Government point of entry commonly known as FedBizOps.

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

A comparison of the proposed price with the independent government estimate (IGE) will be used to support a Fair and Reasonableness Price Determination prior to an award being made.

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

There are a total of nine Center for Veterans Enterprise certified contractors in South Dakota listed on the VetBiz.gov VIP registry under NAICS Code 236220 as of December 21, 2011. Per Public Law 109-146, although multiple vendors are available to complete the services the Contracting Officer has the authority to sole source to a certified SDVOSB per VAAR 819.7007 and 819.7008. Dakota Electric, Inc. has been determined to be a responsible vendor capable of doing the work indicated in the solicitation.

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

Due to the time constraints of completing this project in a short amount of time, it has been determined to be in the best interest of the Sioux Falls VAHCS to sole source this project using the authorization of Public Law 109-461 38 U.S.C. 8127 – Veterans First Contracting Program. This will help to ensure that the new washer/disinfectors will be installed in the SPD Department and patient safety will not be compromised.

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

No other contractors expressed in interest in this 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:**

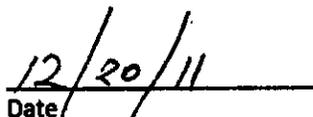
The sole source justification for this contract is allowed in accordance with Public Law 109-461 38 U.S.C. 8127 – Veterans First Contracting Program. Without the limited timeframe for completion, barriers to competition can be overcome. However, for this particular project, it has been determined to be in the best interest of the Government and patient safety to ensure that the project is completed quickly.

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.

  
Travis D. Maas

Chief of Engineering  
Sioux Falls VA Health Care System

  
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.



Crystal Dobbins  
Contracting Officer  
Sioux Falls VAHCS, Station 438

12/28/11  
Date

- b. Facility Contract Manager: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Joji Provorse  
Facility Contract Manager  
Network 23 Contracting Officer

12/27/11  
Date