

Attachment 2: 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, Network Contract Office 12, Great Lakes Acquisition Center.
2. **Nature and/or Description of the Action Being Processed:**
 - Abandon existing ruptured condensate line to the Damen Building. Furnish all necessary labor, materials, equipment, engineering services, insurance, and supervision required to design and install new condensate and steam lines from Tunnel A through the pipe basement of Bed Tower Building 40, to Tunnel B at Jesse Brown VAMC.
 - This will be a new firm fixed price contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
 - Work includes engineering services, excavation, concrete work, all related piping, valves, and insulation required to complete repairs to make the existing steam and condensate heating system functional.
 - Total project duration is approximately 120 calendar days. Priority installation of the condensate piping is approximately 45 calendar days.
 - Estimated Total Cost of project is \$375,500.00
 - Required Delivery Date: ASAP-this work is being completed on an emergency basis because the current condensate and steam heating system is leaking and had to be shut down. This has resulted in condensate water not being recycled, dumped in the sewer system, resulting in increased costs of approximately \$1000 per day for additional operating and maintenance, chemicals, condensate replacement, and increased heating costs. The dumping of this condensate poses safety issues for the Operations and maintenance staff.
4. **Statutory Authority Permitting Other than Full and Open Competition:**

41 USC §253(g), as implemented by FAR 6.302.

(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):** Energy Systems Group (ESG) currently manages, supplies and operates all the energy requirements for Jesse Brown

VAMC including the steam and condensate return for heating the facility through a lease contract agreement implemented in 2003. It is necessary for this vendor to complete this work for proper interface and operation with the existing system. ESG completed a survey/investigation of the system when loss of condensate water was initially identified. They are currently mobilized on site to complete repair. They have designed the repair so as not to interrupt current operation of the heating system. ESG is most familiar with the system design, function and operation and can complete the repair in the most expeditious manner resulting in return of normal operation; reducing overall cost to the government. Accordingly, Energy Systems Group is the only firm capable of providing this service without the VA experiencing unacceptable delays in fulfilling its requirement.

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

There are no other potential sources. This is an emergency repair on a heating system that is operated under a lease agreement. This eliminates the opportunity for competitive bidding.

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

An Independent Government Estimate (IGE) will be prepared. A detailed cost breakdown will be provided by the contractor. Costs will be evaluated to determine that the proposed price is fair and reasonable and reflects reasonable value. Certified Cost or Pricing data is not required.

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

No marketing were conducted.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None

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:**

None

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.

Stan Heidemann
Assistant Chief Engineer Engineering Service
Jesse Brown VAMC

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.

Anne Vossler
Anne Vossler
Contracting Officer
NCO 12

Date 1-12-2012

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

Christine Hansen
Christine Hansen
Network Contract Manager
NCO 12

Date 1-12-12