

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition**

Acquisition Plan Action ID: VA256-16-AP- 9898 Construct PIV Office

1. **Contracting Activity:** Department of Veterans Affairs, VISN 16, 629 Southeast Louisiana Veterans Health Care System. Engineering Service Department request sole source for construction services from BES, Inc a SDVOSB company. Requisition number (2237) - 629-17-1-6288-0001.

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

This will be a new Firm-Fixed-Price contract.

- A. The proposed action is to provide all materials, labor, and tools required to buildout space, to be identified as "PIV", at 2400 Canal St. (Project 629-16-S03)
- B. Visits to the site by Bidder may be made only by appointment with the CO.
- C. All employees of general contractor and subcontractors shall comply with VA security management program.

Description of Supplies/Services Required to Meet the Agency's Needs: Contractor shall provide all the necessary labor, material, tools and equipment necessary to provide all materials, labor, and tools required to buildout space, to be identified as "PIV", at 2400 Canal St. The project consists of the conversion of a service bay into usable office space for a maximum of eight employees. Work shall include the construction of additional walls, the installation of electrical and HVAC, wall refinishing, painting and flooring. The total estimated value of the proposed action is \$50,000. All work shall meet code and be performed in accordance with the contract drawings and specifications.

Approximate total cost: \$49,998 (IGCE attached)

Period of Performance: 45 calendar days

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

- () (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; And Public Law 109-461;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

3. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

OFOC SOP Revision 05

Original Date: 03/22/11

Revision 05 Date: 05/02/2016

Page 1 of 3

BES, Inc. is a SDVOSB company and they have been doing business with this facility for many years and are one of our most reliable and trustworthy contractors. They have proven themselves time and time again when it comes to quality, timeliness and they care about veterans. Their proposals have always been fair, reasonable and typically below budget. They have completed numerous projects similar in size and scope with excellent reviews from VA Engineering and Hospital leadership. Their effective and efficient project management has led to the early completion of multiple VA projects varying in complexity, customer and scope for the New Orleans site. This contractor is fully aware of the VA regulations, requirements.

4. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** N/A. A sole-source SDVOSB set-aside is requested. In accordance with FAR 6.302-5 see paragraph 4 above, and Public Law 109-461, awarding contracts to Service-Disabled Veteran-Owned Small Business (SDVOSB) firms is the highest priority within the Small Business programs for VA. Consistent with the mandate and the mission of VA, participation of SDVOSBs in VA Acquisition programs is strongly encouraged. OSDDBU is the advocate that monitors the Veteran-Owned Small Business (VOSB) Program, with a special emphasis on SDVOSBs. Under the authority granted in Public Law 109-461, VA is authorized to set aside contracts and/or award sole source contracts, to SDVOSB and VOSB firms.
5. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
The Contracting Officer will review the proposed cost and will only award if the proposed cost is determined to be fair and reasonable. Contractor's proposal will be compared to the IGE, to previous prices for similar work and to RS Means pricing to confirm that the proposed cost for the effort is in line with previous prices for similar services and is fair and reasonable. Certified cost or pricing data will not be required. This cost of this procurement is expected to be less than the \$700,000.00 threshold for certified cost or pricing data found in FAR 15.403-4(a)(1).
6. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** N/A. A sole-source SDVOSB set-aside is requested.

Any Other Facts Supporting the Use of Other than Full and Open Competition: Due to the immediate nature of the requirement, limited to no competition can be sought for this item.
7. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
8. **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:** For future procurements of construction services of the type required here, additional market research will be conducted to identify additional contractors with the specialized knowledge and experience to perform similar or compatible construction services without the government incurring additional unnecessary costs.
9. **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.


Angela McKenzie
Assistant Chief, FMS

10/6/2016

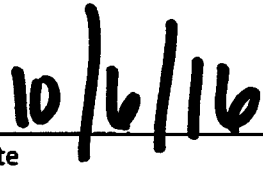
Date

10. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

- a. **Contracting Officer or Designee's Certification (required)**: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Gina L. Roach, Contracting Officer,
Construction Team A
NCO 16


Date