

**FAR 8 - JUSTIFICATION FOR LIMITING SOURCES <\$150K**

**Acquisition Plan Action ID:** VA256-16-AP-9510

**1. Agency and Contracting Activity:** Department of Veterans Affairs, VISN 16, 629 Medical Center

**2. Description of Action:**

Nature:  New Requirement  Follow-on Order  
 Mod to Existing Order Number

Order against:  FSS Contract Number: GS-10F-0549N

Name of Proposed Contractor: Mihalik Group, LLC  
Street Address: 1300 W. Belmont Ave.  
City, State, Zip: Chicago, IL 60657  
Phone: 773-929-4276

**3. Description of Supplies or Services:**

The estimated value of the proposed action is \$ 116,250.00 (total contract)

*The Contractor is to provide all labor and materials necessary to provide a full review of the life safety systems, drawings, and occupancies of the Replacement New Orleans VA. Contractor is also responsible for all potential travel, lodging and per diem expenses that may be incurred during this assessment. The Contractor shall assess the properties, provide updated life safety drawings and well as update "Statement of Condition" drawings detailing all deficiencies noted during the assessment. They shall provide a spreadsheet (both pdf and excel) noting: building, room locations, deficiencies, code reference, recommendations for addressing the deficiency. The Contractor shall aid in the update of Basic Building Information (BBI) on the Joint Commission extranet site and the station's Plan For Improvement (PFI).*

**4. Authority:**

**ORDER AGAINST FSS:** Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

An urgent and compelling need exists, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 1: Justification for Limiting Sources \$3.5K up to \$150K

Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#)) or

In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order was not previously issued under sole-source or limited-sources procedures.** ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#))

**5. Rational/explanation to support cited authority:**

*Competition was sought through GSA e-buy. While market research showed that a viable market of SDVOSBs existing for this procurement, no responses were received. Because there were no bids/no responses, competitive procedures now do not have a reliable probability of success in meeting the required timeline. The timelines pre-established for this procurement are a necessity for the station as it moves forward with activation activities.*

*The contractor proposed for this sole source, Mihalik Group, is a small business that specializes in Joint Commission preparation for the Environment of Care. The procurement in question pertains to preparation for Joint Commission through the creation of pertinent documents and drawings; however, this function has not been included in the current contract. To award to this contractor nullifies the time lost due to no bids and no responses as it provides them with the unique ability to meet the time requirement since they are currently on site completing related work.*

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6. BRAND NAME ONLY: This buy is estimated to exceed \$25,000 and this documentation will be posted along with the RFQ on e-Buy, as required by [FAR 8.405-6\(b\)\(3\)](#).
7. Note that this determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.

Rachel Babin  
Contract Specialist  
Date: 11/1/2016

Rachel Babin  
Contracting Officer/Designee  
Date: 11/1/2016