

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

The US. Department of Veterans Affairs, NCO17, VA North Texas Health Care System, (VANTHCS), located at 4500 South Lancaster Road, Dallas, Texas 75216-7167 proposes to enter into a firm-fixed price contract on the basis of justification for other than full and open competition for the South Texas Veterans Healthcare System. The purchase request number is 671-12-2-3232-0025.

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

This proposed action will be awarded as a follow-on contract for Architectural Engineering Construction Documents and Specifications for the SICU project. McCall and Associates has completed the schematic design, design development, construction documents and specifications for this project. McCall and Associates is currently working on the as-built documents for the SICU Project; previously awarded as a task order under their NCO17, STX IDIQ Contract.

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

This requirement is to provide the STXHCS with construction documents in order for the Medical Center to comply with new mandates concerning the individual operation of isolation exhaust systems. The existing isolation room exhaust system must be redesigned to provide separate exhaust fans and ducting for each of two isolation patient rooms in the 2D SICU area. Construction documents will also be created for the re-design of the new fan-coil HVAC units required to comply with the mandate disallowing the use of DX split-system type HVAC units within the facility. This requirement will also provide design documents for the re-design and maintain conditioning of the spaces independent of the HVAC units as per VA Design Standards. Design of all components is required to provide supplemental information to the Contractor for bidding and construction purposes.

4. Statutory Authority Permitting Other than Full and Open Competition: 41 USC §253(g), as implemented by FAR 6.302.

- (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;

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

McCall and Associates has previously completed the schematic design, design development, construction documents, and specifications for the SICU Project. This procurement action is in direct support of the SICU Project and in support of mandated changes during the course of the project to systems McCall and Associates previously provided design drawings prior to those changes. Continuity of design services is sought. If the agency is not allowed to maintain consistency during the construction project by utilizing McCall and Associates, the interests of the Government may be jeopardized. If a different A/E firm is selected there will be a substantial duplication of cost to the Government that is not expected to be recovered through competition. The contract was previously competed. The current contractor McCall and Associates developed the initial studies for the design project.

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

This justification is presented due to the project augmenting the expired A/E contract.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The anticipated price to the Government is \$95,000.00

The contracting officer will make a fair and reasonable determination based on current rates already adjusted by an escalation factor with in the IDIQ and the Government's, Independent Government Estimate (IGE). Price Reasonableness will also be determined using historical data, based on prior contracts with McCall and Associates.

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

Based on the market survey previously accomplished by the Government, McCall and Associates can fulfill the Government's sole source requirement to continue design documents required to provide supplemental information to the contractor for bidding and construction purposes. No other A/E could provide this continuation of services need on the existing order without a substantial cost to the Government.

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

A delay in award of this contract will delay the renovation of the SICU, thus limiting the number of Veterans being seen currently by the clinic. Veterans normally seen at the VA Facility will have to receive referrals from their primary care physician and outsourced to clinics in the San Antonio area.

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

Not applicable. No new task orders are being issued for this contract; but completion of this current project is a necessity.

**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 Government has considered all options at its disposal to remove or overcome barriers to competition. At this time, there are no other actions that can be taken.

**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.



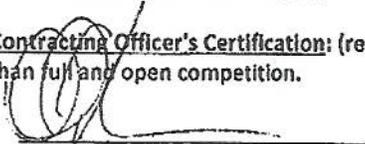
Richard Martinez  
Chief of Projects  
STXVHA

4/10/12

Date

**13. Approvals in accordance with FAR 6.304**

**a. Contracting Officer's Certification: (required) I certify the justification meets requirements for other than full and open competition.**

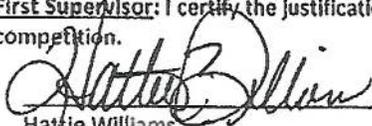


Delrick Whitehorn  
Contract Officer  
VANTHCS NCO 17

4/10/2012

Date

**b. First Supervisor: I certify the justification meets requirements for other than full and open competition.**

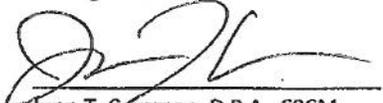


Haylie Williams  
Supervisory Contracting Officer  
VANTHCS NCO 17

4/10/12

Date

**c. NCM/PCM: I certify that the forgoing justification is accurate and complete to the best of my knowledge and belief.**



Juan T. Common, D.P.A., CPCM  
Network Contract Manager  
VANTHCS NCO 17

4/10/12

Date