

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA248-17-AP-2987

1. **Contracting Activity:** Department of Veterans Affairs, NCO 8, James A Haley Veterans Hospital (JAHVH), Research and Development Office, Purchase request numbers – 673-17-2-042-0011, 637-17-2-6311-0076.
2. **Nature and/or Description of the Action Being Processed:** The contract will be awarded as a new contract. This new contract is a result of the streamlining of the Research Animals Support Services requirement. This contract will be a firm-fixed price contract.
FAR13.5 Simplified Procedures for Certain Commercial Items: *This procurement is for the procurement of Research Animals Support Services in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Research Animals Support Services consists of the following: purchase of animals and support services for those animals and support and oversight of the VA Veterinary Medical Unit. The estimated value of this requirement is \$1,925,240.00. The estimated period of performance is March 20, 2017 through March 19, 2022.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
41 U.S Code 3304 (3) (B)
(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;
FAR13.5 Simplified Procedures for Certain Commercial Items: *The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).*
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** 41 U.S Code 3304 (3)(B) which allows for an executive agency to use procedures other than competitive procedures only when it is necessary to award the contract to a particular source to maintain research that is provided by an educational or nonprofit institution. The suggested contractor is an affiliate of the James A Haley Veterans Hospital. The University of South Florida (USF) is the known affiliate in regards to this requirement. USF serves as the Institutional Animal Care and Use Committee (IACUC) for JAHVH. They provide oversight and ensure compliance on all VA Animal Research performed at JAHVH and/or USF sites. The Animal Research projects are authorized and funded under the pretense that the principal investigator cited in the project proposal will be the source responsible for providing the research the required by the VA. These principal investigators hold appointments with both JAHVH and USF. It is imperative that USF continue to maintain the research oversight as they serve as the IACUC for JAHVH.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** All reasonable efforts were taken to ensure that offers were solicited from potential sources. Sources sought notice; VA248-17-N-0327 was issued on 18 January 2017. It described the Research Animal Support Services and that services must be in accordance with the industry standards in respect to Veterinary Care and Research. The notice received three responses; MPF Federal LLC from Washington, DC 20036 ,The McConnell Group from Rockville, MD 20850 and FEFA, Inc. from Gaithersburg, MD 20877. In addition to the notice, searches via the internet were conducted by reviewing FPDS and GSA E-Library to which no additional sources were deemed practicable.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost to award the contract to The University of South Florida is \$358,048.00 for the base year and \$1,925,240.00 for aggregate amount, which includes the base year and four (4) option years. This aggregate amount is reflective of USF's current published price list. The Independent Government Estimate is \$358,048.00, which is based upon the previous two separate requirements being performed under contracts: VA248-15-C-0060 and VA248-15-D-0043. Similar requirements were identified via an FPDS search. VA246-15-P-1379 is a requirement for Veterinary Oversight Services. The total price for this requirement for a base and four option years was \$1,359,295.52. This contract was awarded in 2014, and is currently being performed in its second option year for a total price of \$270,540.00. The variable difference can be accounted for by the inclusion of the Research Animal purchasing and housing support services. Given the streamlining of the requirement; the anticipated cost will reflect the improved efficiency in administrative management which serves as another reasonable basis that the proposed price is fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section VI above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties. A sources sought notice was issued on Jan 18, 2017. This notice received three responses. Each respondent identified their capability to perform similar services. These respondents were deemed not capable of performing the requirement as they are geographically located in Maryland and would not meet the required timeframe (fifteen minutes) for delivery of samples. The affiliate's facility serves as the vivarium for JAHVH and the Principal Investigators are the only authorized personnel outside of the affiliate's staff to access their facilities. The internet searches yielded no additional sources. The searches did provide evidence of similar requirements which was being provided by one of the respondents identified section IX.
9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Sources that responded are as follows: FEFA, Inc. a Certified 8(a), Minority Owned Small Disadvantaged Business, The McConnell Group, Inc. a Service Disabled Veteran Owned Small Business and MPF Federal LLC, a Certified 8(a), Woman Owned Small Disadvantaged Business. These sources provided a capability statement for their respective firms.
10. **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:** In regards to future actions to be taken for the required services, the agency will continue to assess and evaluate the market availability for similar services. The required services are a result of a previously approved research project by the Department of Veteran Affairs. Therefore any future acquisitions would have to be aligned with the affiliate of the James A Haley Veterans Hospital.

- Margaret Covar
Name
AO-Research

2-28-17

JHVAH

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