

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, North Florida/South Georgia Veterans Healthcare System.
2. **Nature and/or Description of the Action Being Processed:** This is a request to solicit and award a sole-source firm-fixed price contract for the project titled: "T-10 Roof Leaks", to O'Neal Roofing Company, Lake City, FL. Project will be solicited and awarded under the Service Disabled Veteran Owned Business (SDVOSB) program.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The estimated value for this contract is less than \$70,000. Project involves the repair of the T-10 trailer roof, specifically the replacement of tapered insulation, modified bituminous roofing, flashing, gutters, downspouts, batten insulation, vapor barrier, as well as patching and painting areas damaged during the replacement. T-10 currently houses VA staff, who will be relocated during this project. The VA owns this, along with several other semi-permanent trailers, which have been in use for over ten years. The contractor shall begin repair work immediately following contract award with a performance period not to exceed 30 calendar days. Once this project is completed, the hospital's intent is to use this trailer for another five years, until the planned administrative building is built.
4. **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;
  - (X) (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;
  - (x) Authority under 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007.
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

A. Ref: FAR 6.302-2, 6.303-2(a) (9) (ii) of Unusual and Compelling Urgency.

The Malcom Randall VA Medical Center has a roof leak in trailer T-10 which has resulted in a mold issue. Thus, there is a potential health hazard to both veterans and staff. Also, the roof leak is damaging the structure

B. Ref: Authority under 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007.

The determination to make a sole source SDVOSB award is an acquisition decision within the discretion of the Contracting Officer. Based on this, along with the previously referenced authority, a determination that only one SDVOSB concern is available to meet the requirement is not required. O'Neal Roofing, Lake City, FL is immediately available for the execution of the work. The contractor is familiar with working at this facility, as well as its sister hospital (VA Medical Center, Lake City, FL). Thus, the Contracting Officer is recommending that this project be set aside to O'Neal Roofing, Lake City, FL, as a SDVOSB sole source solicitation and award.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**  
Due to the urgency of this project, it is preferable that the firm have experience with this facility, which O'Neal Roofing has. They respond in a timely manner, providing quality work. Also, their office is less than one hour from the hospital. While there are other roofing contractors in Vetbiz.gov, the Contracting Officer is allowed to solicit as a SDVOSB sole source, based on authorities referenced in paragraph 5.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost of the project is less than \$70,000. This price is based on a project estimate developed by the hospital's Facility Management Service. Based on the authorities cited in this justification, a sole source award under the Veterans Benefits Act of 2003 is dependent on negotiating a fair and reasonable price. It is expected negotiations will result in a cost which compares favorably to the independent government estimate.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**  
  
The VIP database was queried in accordance with VAAR 810.001, Market Research policy. O'Neal Roofing, Lake City, FL, is listed in the VIP database along with other multiple SDVOSB concerns.
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:**

Multiple SDVOSB firms exist in the VIP database; however, the determination whether to make a sole source award is a business decision wholly within the discretion of the Contracting Officer. A determination that only one SDVOSB concern is available to meet the requirement is not required.

**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 VA usually capitalizes on the advantages of the competitive procurements. Per VA requirement, most construction projects are either competed as competitive SDVOSB set-asides or under pre-existing SDVOSB IDIQ contracts. Due to concerns with both employee/patron health and damage to VA property, it is determined to be in the best interest of the Government, to attempt to enter into a sole source contract with O'Neal Roofing, Lake City, FL. The recommended contractor has been verified, both in terms of responsibility, as well as its current status as a certified SDVOSB.

**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.

**CLIFFORD J. FARRELL**  
**293451**

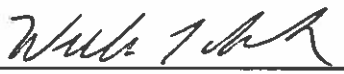
Clifford Farrell  
Chief, Facility Management Service  
North Florida/South Georgia Veterans Health System

Digitally signed by CLIFFORD J. FARRELL 293451  
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**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.

  
William Clark  
Contracting Officer  
Construction Team 1  
Network Contracting Office – 8

3/10/2017  
Date