

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA242-17-AP-6723

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source:

The Whitestone Group, Inc.

<http://whitestonegroup.us>

ATTN: Bill Smith, williamsmith7339@hotmail.com, 614.975.6987

4100 Regent St STE C

Columbus, OH 43219-6156

The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY: Department of Veterans Affairs
James J. Peters VA Medical Center
130 W. Kingsbridge Road,
Bronx, NY 10468-3904

VISN: 02

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

Network Contracting Office (NCO) 2 intends to accomplish a sole-source FSS task order action to continue critical unarmed security guard services, issued in support of the New York Harbor Healthcare System, Brooklyn, New York. Current FSS task order VA240-12-F-0064 ends June 14, 2017 and has no more options to exercise. This requirement is a base period of 3.5 months, from June 15, 2017 through September 30, 2017, and has no option periods. The new FSS task order award shall be for an amount not to exceed (NTE) \$875,000.00.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

The Contractor shall provide all personnel, equipment, tools, vehicles, materials, supervision, and other items and services necessary to perform unarmed security guard services for the VA New York Harbor Healthcare System as defined in the statement of work.

(b) ESTIMATED DOLLAR VALUE: NTE \$875,000.00

(c) REQUIRED DELIVERY DATE: June 15, 2017 through September 30, 2017

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE:

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The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures:

The required services are a logical follow-on to the existing services that are presently being provided by The Whitestone Group, Inc (hereinafter referred to as Whitestone) under Federal Supply Schedule contract (FSS) GS-07F-9142S, task order VA240-12-F-0064, expiring June 14, 2017. The requirement is supported by Federal Supply Schedule 84, Category 246 54 – Protective Service Occupations. It is anticipated that the solicitation for the long-term effort shall be released on/or about June 26, 2017.

An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays:

The sensitive nature of the services required demand that the service provider provide personnel that have accomplished the necessary background investigation and obtained security clearance prior to performing services at the facility. The award of an FSS task order is essential to ensure the critical services continue without interruption while NCO 2 continues the formal process of preparing the long-term solicitation and award. Additionally the demobilization and mobilization efforts that would be required to transition to another provider would create a chaotic environment. Any other source required to accomplish transitioning efforts would require several weeks of transition to include familiarization, training, and security screening background checks. Accomplishing this transition without sufficient planning and organization significantly places the operational readiness of the medical center at increased risk and ultimately would likely result in unacceptable harm to the Veterans which the organization services. Whitestone is a responsible source specializing in unarmed guard services and is qualified to meet or exceed the minimum requirements of this acquisition.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION: The demobilization efforts that would be required to transition to another provider would create a chaotic environment. Any other source required to accomplish transitioning efforts would require several weeks of transition to include familiarization, training, and security screening background checks. Accomplishing this transition without sufficient planning and organization significantly places the operational readiness of the medical center at increased risk and ultimately would likely result in unacceptable harm to the Veterans which the organization services. The IGCE is based on prevailing labor rates for guard services. GSA has already negotiated fair and reasonable pricing, but additional discounts shall be sought before placing the order.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED: Market research was conducted in May 2017 for unarmed guard services. Based on all of the information gathered through market research, the Contracting Officer determined that the interim services required by the government were commercial; that there are available small business to include SDVOSB that can perform the services if given a reasonable time period for shadowing the current provider, hiring of new personnel and mobilization of necessary equipment to perform required services.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION: NCO 2 has performed all necessary actions to issue the solicitation for the long-term effort which will promote sufficient opportunity for competition.

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However, given the nature of the services and actions required to accomplish the evaluation and obtain necessary approvals for the estimated \$12 million award effort could possibly extend completion of the action by more than 90 days. The proposed interim FSS task order award would provide a sufficient amount of time that would not only allow for the awarding and completion of the longer term effort, but would provide the organization a sufficient period of time to plan and organize mobilization and demobilization efforts.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE: NCO 2 encountered delays in receiving the follow-on procurement requirement and funded 2237 action. NCO 2 is assisting the requesting service in preparing all required documents, including the IGCE, for the long-term effort, and is expected to be submitted by June 1, 2017.

(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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

Michael Lauria
130695

Digitally signed by Michael Lauria 130695
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=michael.lauria@
va.gov, cn=Michael Lauria 130695
Date: 2017.05.25 13:26:35 -04'00'

SIGNATURE

DATE

Michael Lauria

Operations Officer

Police Operations

NAME

TITLE

SERVICE LINE/SECTION

VA New York Harbor Healthcare System, Brooklyn
FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM, Volume 6, Chapter VI: OFOC SOP](#):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

CONTRACTING OFFICER'S SIGNATURE

DATE

Brad Mills, Contracting Officer

NCO 2

NAME AND TITLE

FACILITY

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b. Director of Contracting/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

SIGNATURE

DATE

Cherie Widger-Kresge

NCO 2 Director of Contracting

HIGHER LEVEL APPROVAL (Required For orders over \$700,000):

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$13.5 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

*

6/8/2017

JOSEPH P. MALETTA

Executive Director, SAO East

Head of Contracting Activity, SAO East

DATE

No other signatures are required.

* This action is approved by the HCA based solely on the logical follow-on to the FSS Contract and the detrimental effect the lack of approval would have on the operation of the subject VAMC. The HCA does not agree that this meets the criteria for urgent and compelling because the expiration of the existing contract was known well in advance and action was not taken soon enough to prevent this from becoming a critical issue. That said, NCO2 is requested to contact the SAO Director if any steps are needed to work with the customer to get everything in place for a long-term solution to this requirement.