

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

Acquisition Plan Action ID: VA244-17-AP-2758

1. **Agency and Contracting Activity:** Department of Veterans Affairs, VISN 4, 1010 DELAFIELD ROAD, PITTSBURGH, PA 15215

2. **Description of Action:** **DIRTT Modular Walls with arch Beam System**

Nature: ☒ New Requirement ☐  
☐ Mod to Existing Order Number

Order against: ☒ FSS Contract Number: GS-07F-0005T, exp. 09-30-21

Name of Proposed Contractor: DIRTT ENVIRONMENTAL SOLUTIONS, INC.  
Street Address: 325 N. WELLS ST, STE 1000  
City, State, Zip: CHICAGO, IL 60654-7023  
Phone: 817-850-8407

Name of Proposed Contractor:  
Street Address:  
City, State, Zip:  
Phone:

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

The estimated value of the proposed action is **\$147,238.30**

**\*\*\*BRAND NAME\*\*\*** The Northeast Consolidated Patient Account Center (NECPAC) has a requirement for five (5) office spaces to be constructed out of modular furniture. The offices will provide private work space for supervisors. The DIRTT Modular System allows for construction of offices within the existing footprint of the building. The Contractor shall be responsible for all materials, labor, equipment, supervision, and necessary quality assurance to meet this requirement. This particular brand of furniture is essential to the Government's requirement thereby precluding consideration of a product manufactured by another company.

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\(a\)\(1\)\(i\)\(A\)](#));

☒ 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:**

The modular furniture being requested is manufactured by DIRT ENVIRONMENTAL SOLUTIONS, INC. The modular furniture meets the requirement of the International Building Code and is consistent with the current Northeast Consolidated Patient Account Center (NECPAC) furniture; the modular furniture must correspond and function with the current products and fixtures to provide a uniform appearance and function. An alternative manufacturer, line of modular furniture would be unsuccessful and would cause incompatible items. The DIRT Modular System allows for construction of offices within the existing footprint of the NECPAC building. This will allow for minimal lead time when compared to traditional construction. For continuity purposes to fit and meet specifications of the existing modular furniture, match style, ability to integrate, reconfigure with pre-existing modular furniture and the ability to be disassembled and moved without losing any performance characteristics such as sight, sound and air barrier due to the DIRT ENVIRONMENTAL SOLUTIONS, INC. unique Arch beam system. For this reason we are requesting name brand as it represents the best value to the Government.

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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\(b\)\(3\)](#). **YES**

**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.

Signature: \_\_\_\_\_  
Name: Ronald J. Kline  
Title: Contracting Officer

Date: 5-9-17

NCO: 4

Signature: \_\_\_\_\_  
Name: Mark Ziegler  
Title: Branch Chief, Hybrid 2

Date: 5/19/17

NCO: 4