

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA69D-17-AP-6309

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, James A. Lovell Federal Health Care Center (Lovell FHCC) in North Chicago, IL 60064. Purchase Request Number: 556-17-3-6977-0044.
2. **Nature and/or Description of the Action Being Processed:** Lovell FHCC has a need to award a contract for construction services related to the execution of the structural repair of concrete columns and beams in the basement of Building 133CA Rehabilitation Department. This requirement will be awarded as a new Firm-Fixed-Price contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Due to structural column and beam deterioration, Lovell FHCC has a need to remedy the deficiencies as indicated below:

Building 133CA was constructed in 1992 and is currently used by active military, veterans, and civilian staff. The goal of this project is to repair the deteriorated concrete columns and beams to ensure structural integrity. Therefore, these deficiencies need to be repaired as soon as possible. The estimated construction budget for this project is \$153,661.00 with a period of performance of 90 Calendar Days after the issuance of the Notice to Proceed.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

41 USC §3304(a)(2), as implemented by FAR 6.302-2 Unusual and Compelling Urgency

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** FAR 6.302-2 Unusual and Compelling Urgency is applicable to this requirement due to the nature of the deficiency. The delay in award would result in serious injury, financial or other, to the Government if not addressed timely. The work is at basement columns 133CA – X-21A and W-21A and adjacent beams. A structural condition assessment site visit performed by Johnson Wilbur Adams, Inc. observed the concrete cover for each column appeared to be in poor condition. Areas of the concrete had broken off and exposed the vertical rebar. It appeared the columns had been previously patched and the patch had delaminated from the original column. The horizontal expansion joint gap of 2" between the 1st floor beams had been covered with a stainless-steel pan. It appeared the pan was installed to catch leaking water and route it to a drain. However, the pan was not sealed at the columns and water was able to leak from the pans at the columns. The bottom surface of the floor beams on either side of the expansion joint showed signs of deterioration and/or delamination. In addition, the rebar shows signs of deterioration. Given the nature of the deterioration, these deficiencies are important to fix as soon as possible to ensure structural integrity.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Bids will be solicited from three SDVOSBs contractors who have performed work for the Department of Veterans Affairs and have satisfactory past performance. This contract action is made under the conditions described in 6.302-2, therefore, the proposed action will not be

synopsized because the Government would be seriously injured if the agency complies with the time periods specified in 5.203.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The COR has provided the contracting office an Independent Government Estimate. In addition, competition between the solicited contractors shall provide a fair and reasonable contract price.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** VetBiz was queried to verify the SDVOSB statuses of the three contractors who will be solicited for this requirement and that the work required under NAICS code 236220 could be performed by these contractors.
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:** As this contract action wasn't synopsized, no sources expressed interest. The solicitation will be provided to three contractors who have experience with the Department of Veterans Affairs.
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:** None, as this solicitation is being competed on a limited basis due to the nature of the deficiency.
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.

Kurt Schild, Supervisory Engineer
Lovell FHCC

Date

13. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**

Contracting Officer or Designee's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Jason Hardy, Contracting Officer
Great Lakes Acquisition Center

Date

Director of Contracting / Designee (Required over \$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

Jeffrey Gerbensky
NCO12, Branch Chief, Southern Tier Construction
Great Lakes Acquisition Center

Date