

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval (J&A)  
For  
Other Than Full and Open Competition (>\$150K)**

**Acquisition Plan Action ID: VA262-17-AP-11462**

**1. Contracting Activity:**

Department of Veterans Affairs, Service Area Office (SAO) West - Network Contracting Office (NCO) 22, for the VA Loma Linda Healthcare System (VALLHS) located at 11201 Benton St., Loma Linda, CA 92357. 2237 Transaction # 60-17-4-6022-1967

**2. Nature and/or Description of the Action Being Processed:**

This procurement is for the emergency repairs of the VALLHS's York Chiller number one (1) 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:**

This requirement is to provide emergency repair services to VALLHS's York Chiller number one (1) which sustained significant damage and is currently non-operational because hydrochloric acid was introduced into the chiller. This introduction of hydrochloric acid caused damages to the internal parts, condenser and tubing; and require to be repaired and replaced immediately. The contractor will be required to provide the following services:

- i. Remove condenser inlet piping.
- ii. Remove condenser outlet piping.
- iii. Remove marine water box.
- iv. Install two (2) 12" blanks.
- v. Re-tube condenser side of chiller 1.
- vi. Epoxy coat condenser tube sheets.
- vii. Pressure test after re-tube, leak test, pull a deep evacuation and hold.
- viii. Install cooler head. (50ft. channel gasket)
- ix. Install marine water box.
- x. Install inlet and outlet piping.
- xi. Remove and install new heat exchanger for VFD.
- xii. Leak test new exchanger.
- xiii. Charge the chiller with approximately 3700 lbs. of R-134A refrigerant.
- xiv. Start-up the chiller, evaluate for one (1) week, replace filter, dryer and insulation.
- xv. Pressurize independent heat exchanger with nitrogen, hold and evaluate.

This will be a Firm-Fixed-Price (FFP) contract and is estimated to be \$249,751.77. The contract has a three (3) month period of performance from September 25, 2017 to December 24, 2017.

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

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) and under 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):**

VALLHS has four (4) chillers which provides cooling throughout the facilities, to include operating rooms, clinics and patient rooms. The chiller plant currently requires three (3) chillers to meet the full hospital building load; and a fourth chiller to function as an emergency backup in the event any of the other chiller becomes non-operational. Chiller one (1) is currently non-operational and requires immediate repairs to bring it back to full operations; ensuring the VALLHS will have all four (4) chillers to meet the demands of the hospital. In the event, another chiller becomes non-operational, it will be detrimental to hospital operations as cooling is required to maintain operating rooms and clinics at the facility. Assessments are being done for each of the four (4) chillers to reinstall new ones. Therefore, it is imperative to repair Chiller one (1) immediately during the transition.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

Due to the emergent nature of this requirement, the Government did not have sufficient time to solicit other potential sources as it was not practicable to do so. The Government required immediate mobilization of the contractor to ensure repairs are completed immediately and ensure VALLHS is operating with four (4) operational chillers.

**7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:**

The anticipated cost to the the Government will be determined fair and reasonable based on the subject matter expert (SME) David Grzechowiak's technical knowledge, the Government Independent Estimate, and the fact this was an emergent requirement. Furthermore, fair and reasonable is based on the research of historical acquisitions through the Federal Procurement Data System – Next Generation (FDPS) at [www.fpds.gov](http://www.fpds.gov) provided three (3) similar awarded procurement for chiller repairs and are as follows:

- i. Agency - Department of Commerce, Procurement Identifier – DOACSS130117CN0013, Award amount - \$231,985.20, Award date – 8/29/2017
- ii. Agency - Department of the Air Force, Procurement Identifier – FA850117F0069, Award amount - \$264,909.61, Award date – 5/30/2017
- iii. Agency - Department of the Air Force, Procurement Identifier – FA850113D0003 / 0083, Award amount - \$260,604.00, Award date – 4/12/2017

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

Due to the emergent nature of this requirement, the Government did not have sufficient time to conduct robust market research. A quick search of the VIP database through [www.vip.vetbiz.gov](http://www.vip.vetbiz.gov) was conducted, but did not provide sources who are capable of providing the required services.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Sole Source Justification Format >\$150K

There are no other facts than what is stated herein to support the use of other than full and open competition.

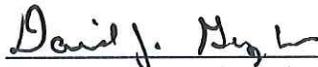
**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Due to the emergent nature of this requirement, the Government did not have sufficient time to seek additional sources for this project. Therefore, there is no available list of sources that expressed interest in this acquisition.

**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:**

This requirement was emergent and under unusual and compelling conditions which require immediate mobilization to perform repairs of the chillers. Any delays in repairs may cause additional damages, unforeseen financial costs, and negative impact to patient care to the veterans. As this event was unforeseen, it was not possible for the Government to predict and plan for this emergent requirement. The requirement is one-time emergent requirement and there are no future intentions to obtain additional services after repairs are complete.

**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.



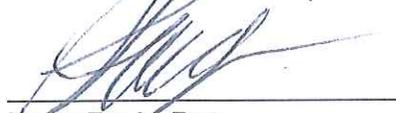
Name: David Grzechowiak  
Title: Maintenance and Operations Chief  
Facility: VA Loma Linda Healthcare System

September 22, 2017

Date

**13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:**

- a. **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.

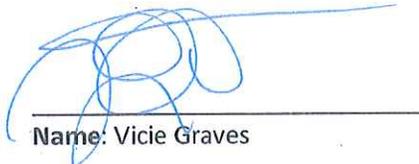


Name: Tue M. Tran  
Title: Contract Specialist  
Facility: SAO West, NCO 22

September 22, 2017

Date

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



Name: Vicie Graves

September 22, 2017

Date

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Sole Source Justification Format >\$150K

**Title:** Contracting Officer

**Facility:** SAO West, NCO 22