

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-AP-4946

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, VA Illiana Healthcare System 1900 East Main Street Danville Illinois 61832, Environmental Safety Service

Great Lakes Acquisition Center Network 12 Contract Office
1900 East Main Street Danville IL 61832

Purchase Order Request Number 550-18-1-2957-0001 has been submitted for this requirement.

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

This procurement is for Fire Protection Services 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.

The VA Illiana Healthcare System, Danville IL, requests a sole source contract for Fire Protection Services with the City of Danville, 17W Main St., Danville IL 61832.

The contractor shall provide fire response, fire suppression, and emergency services to include confined space entry rescue, decontamination capabilities and hazardous material spill response to Illiana Health Care System and Danville National Cemetery located at 1900 East Main Street, Danville, Illinois. Contractor is required to respond to all fire alarms and emergency calls on a 24 hour, 7 days a week, 365 days per year basis.

A new contract will be established with a base year Plus Four (4) additional One (1) year options, to be exercised at the discretion of the government.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The Contractor shall provide all labor, equipment, materials, supplies, and travel to answer all calls and/or alarms for fire protection or emergency assistance at Illiana Health Care System and Danville National Cemetery. The fire protection to be furnished under this contract shall apply to all buildings and grounds owned by Illiana Health Care System and Danville National Cemetery that are located on the premises of 1900 East Main Street, Danville, Illinois. This protection extends to all equipment and materials located therein.

The estimated value of this action for the entire Five (5) year contract period is \$571,248.00
The expected period of performance shall commence on October 1, 2017 and continue through September 30, 2022, if all options are exercised.

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).

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

The VHA Fire Safety Guidebook requires that the entity providing Fire protection have a station within 3.5 Miles (as established in MP-3, Part III, Chapter Four, Fire Prevention and Suppression) of the facility with an initial response time of eight (8) Minutes. They must have a minimum of Four (4) trained , full time fire fighters on duty twenty four (24) Hours a day and shall respond to the medical center with at least Four (4) firefighters and at least one pumper truck with a capacity of 750 gallons per minute that is equipped with hoses and other accessories that meet National Fire Protection Association (NFPA) Standard 1901.

Danville Fire Department is the only full time fire department in the local area that can meet VA requirements for response times to the facility during an emergency.

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

Market research was conducted to survey the availability of Fire Protection Services. In order to meet the requirements regarding level of personnel and equipment response along with a minimum response time, only one source was found that could meet these standards

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

Price reasonableness will be determined by comparison to the facility Independent Government Estimate (IGCE). This estimate uses historical contract pricing and assumes a Four (4) percent annual increase which is supported by the average annual past increases in contract pricing. The Contracting Officer will assure that a reasonable price is negotiated that stays within the assumptions of the IGCE and is comparable to the historical prices paid for these services.

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

Market research was conducted for verification that no Service Disabled, Veteran Owned, or small businesses were available under the applicable NAICS Standard of 922160 for Fire protection. A search of Vetbiz and the Small business Dynamic search engine returned no results using this NAICS code. A search of the locality found no other full time fire department available that could meet the required response timelines.

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

Full time fire protection is required for the facility to operate. Lack of adequate fire protection would create an immediate threat to life condition forcing the facility to cease operations. This source is the only source available within this locality at this time. The only remaining option would be for the VA to develop its own in house Fire Protection Service. This approach would not be cost effective in comparison to the cost of contracted services.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

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

City of Danville
17 W Main Street
Danville IL 61832

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 fire department is an important element of the overall Fire Safety Program (total concept) at any VA Medical Center. Therefore, MP-3 requires VA Medical Center management to review community services at least every 2 years to ensure that VA minimum criteria are met. Just as Life Safety Code (LSC) inspections are conducted, so should fire suppression services be evaluated. The Veterans Integrated Service Network (VISN) Safety and Fire Protection Engineer will verify the results of this evaluation during annual workplace evaluations. If at the time of these inspections, this Fire Department fails to meet the required standards, the VA shall take appropriate action to ensure that the facility has the required level of Fire Protection.

Market research shall be conducted prior to the exercise of each option as required during the Determination to Exercise an Option process.

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.



Jerry Fox
Environmental Safety Manager
VA Illiana Healthcare System

5/11/2017

Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: 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.

Kevin Adkins
Contracting Officer
Great Lakes Acquisition Center NCO12

05/11/2017

Date

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- 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.

Mr. Paul Lauro
NCO/PCO 12 Director of Contracting
Great Lakes Acquisition Center

6/1/2017

Date