

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

Acquisition Plan Action ID: VA244-18-AP-0202

1. Agency and Contracting Activity: Department of Veterans Affairs, VISN 4, VA Pittsburgh Healthcare System (646), University Drive Campus, Pittsburgh, PA / 646-18-1-5233-0003

2. Description of Action:

Nature: ☒ New Requirement ☐ Follow-on Order
☐ Mod to Existing Order Number

Order against: ☒ FSS Contract Number: GS-07F-5447P

Name of Proposed Contractor: Action Compaction Equipment LLC
Street Address: 1042 E. Fort Union, Ste 260
City, State, Zip: Midvale, UT 84047-1800
Phone: 801-565-1033

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ \$33,341.52

The VA Pittsburgh Healthcare System, University Drive Campus, is in need of a firm fixed-price contract for the removal of a failed trash compactor and supply and installation of a new unit. Contractor shall be responsible for all labor, materials, equipment, components, etc. to remove the existing Marathon RJ250 SC30 and replace with a new unit.

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:

Currently the compactor is being kept running by a steady supply of oil and duct tape provided by the Facilities Management Service. It has been inspected recently and deemed to be failing. Breakdowns of the compactor lead to large, stacked piles of decomposing trash, accumulating both inside and outside the facility. Both inside and outside the facility, this poses a serious sanitation and potential fire risk affecting patients, staff and visitors, as well as the community. On several past occasions of breakdowns, patients and visitors complained of foul odors permeating the hospital area.

The existing compactor at the VAPHS University Drive campus has been repaired multiple times over the years for problems, and has topped working 23 times in the past year. During one day alone, the breakdown cost the facility \$2,400 for the use of eight dumpsters to remove the accumulated, daily trash. The facility cannot afford to continue purchasing dumpsters daily in the event of inevitable future breakdowns. If the cost of all dumpsters required over the life of the compactor breakdowns was totaled, it would far exceed the cost of acquiring a new compactor.

An urgent procurement of a new compactor, plus the removal of the failed unit, is required immediately in order to protect the health and safety of patients and staff at VAPHS, as well as the community at large.

Action Compaction Equipment LLC has provided supplies, equipment and service for the existing VAPHS compactor for the past several years, and is more than familiar with the requirements for its removal. The replacement they will be supplying is the exact match to the existing, so transition from old to new should be seamless.

- 6. BRAND NAME ONLY:** This buy is estimated to exceed \$25,000. The urgent and compelling justification will be posted as required by policy.
- 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.

Edward A. Boddie,
Contracting Officer/NCO4 Branch Chief – Hybrid 1