

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, VISN 15, St. Louis VA Medical Center at Jefferson Barracks. Justification for Other Than Full and Open Competition in conjunction with Major Project 657-313. The project solicitation number is VA255-12-R-0433. The project purchase request number is 657-12-2-997-0019.

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

Sole-source construction of high pressure natural gas service to the proposed utility plant has a direct impact of Major Project 657-313.

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

Project 657-313 Medical Center Improvements & Cemetery Expansion, Jefferson Barracks, Missouri.

Project 657-313 will provide FY2012 funding for a new VAMC utility plant and infrastructure improvements. Per project 657-313, Laclede Gas Company will need to provide high pressure natural gas service to support the functions of the utility plant. It should be noted that the required high pressure natural gas infrastructure by Laclede Gas Company is a direct impact result of project 657-313.

The current action needed by Laclede Gas Company includes furnishing and installing a new high pressure gas distribution main and service lateral to the VA Medical Center, Jefferson Barracks Division campus. The gas distribution main and service lateral is to terminate on the VAMC JB campus near existing Building 65 in a pressure reducing station to be furnished, installed, owned and maintained by Laclede Gas. Laclede Gas is to provide gas service at two separately metered pressures as follows: high pressure service capable of providing 20,000 CFH at 150 PSI nominal pressure, with a delivered pressure not lower than 140PSI at the meter to serve the new Energy Plant and low pressure service capable of delivering 120,000 CFH at 15 PSI nominal pressure, with a delivered pressure not lower than 15 PSI at the meter to serve existing Building 60. Upon completion of gas line installation, furnish the VA with a completed survey, plat map, and legal description for use in finalizing a permanent easement for maintenance and repair of the new gas line. The high pressure natural gas service to the proposed utility plant has a direct impact of Major Project 657-313.

Estimated Value: \$1,550,863.00

4. Statutory Authority Permitting Other than Full and Open Competition

(X) 41 U.S.C. 253 (C) (1) Use of Non-Competitive Procedures

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;

() (2) Unusual and Compelling Urgency per FAR 6.302-2;

- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

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

Laclede Gas Company, via a tariff and the Missouri Public Service Commission, is the sole natural gas provider in St. Louis County, Missouri. As such, Laclede Gas Company owns all associated natural gas distribution infrastructure in St. Louis County. The statement of work for the Department of Veterans Affairs' Project 657-313 requires high pressure natural gas service to the new utility plant, Laclede Gas Company is the only provider qualified to complete this work.

Since Laclede Gas Company owns the infrastructure, use of another entity to perform the defined work is not authorized.

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

FAR 5.202 (a) (5) indicates that an action need not be synopsisized if it is for a utility service other than telecommunication and there is only one source available.

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

The Major Project A/E team has prepared a cost estimate in the amount of \$1,550,863.00 to provide the scope of work provided above. The St. Louis VA Medical Center has reviewed the cost estimate as provided and finds it to be fair and reasonable.

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

A market survey to identify other entities that can perform the scope of work has not been performed. This relates to the fact that Laclede Gas Company owns and maintains the natural gas infrastructure that will be installed as dictated by Project 657-313.

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

Since Laclede Gas Company owns and maintains the natural gas infrastructure that will be installed as required by Project 657-313, development of technical data, specifications, engineering descriptions, and statement of work for use in open competition was not developed by the Department of Veterans Affairs. Laclede Gas Company, as the owner/operator, has produced engineering plans for the utility installation, and as the owning utility, has their own construction specifications. The VA has approved the construction plans.

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

Manufacturer/Contractor: Laclede Gas Company, INC
Manufacturer/Contractor POC & phone number: Dave Simorka - 314-342-0679
Mfgr/Contractor Address: 720 Olive Street, St. Louis, MO 63101

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:

Due to this effort directly relating to the addition of a new high pressure gas distribution main and service lateral infrastructure which, is owned and maintained by Laclede Gas, solicitation to other parties for performance of the work is not feasible.

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.

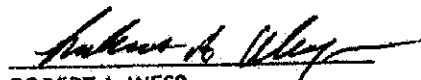


Name: Fabian Grabski
Title: Assistant Chief Engineer
Facility: St. Louis VAMC, Jefferson Barracks Division

2/3/12
Date

13. Approvals in accordance with FAR 6.304

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



ROBERT A. WESP
CONTRACTING OFFICER
NETWORK 15 CONTRACTING OFFICE

2/24/2012
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



BERNADETTE COTHERN
Network Contract Manager
NETWORK 15 CONTRACTING OFFICE

3-5-2012
Date

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.



RICKY L. LEMMON
ACTING SAO DIRECTOR
CENTRAL REGION (10NA2)

3/8/12
Date

- d. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$10million) or approve (\$500K to 10 million) for other than full and open competition.



NORBERT S. DOYLE
CHIEF PROCUREMENT AND LOGISTICS OFFICER
VHA HEAD OF CONTRACTING ACTIVITY (HCA)

3/19/12
Date