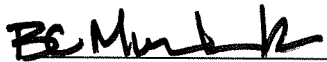


DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: 642-16-3-526-0088

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Corporal Michael J. Crescenz Medical Center, Philadelphia, PA. This is a justification for other than full and open competition for construction period services for the Medicine Specialty Clinic construction project on the 8th Floor of Building #2.
2. **Nature and/or Description of the Action Being Processed:** This is a requirement for construction period services from the original Architect and Engineer for the Medicine Specialty Clinic construction project. These services are estimated at \$200,000. The intended vendor is Francis Cauffman, 2000 Market Street, Suite 600, Philadelphia, PA 19103; Contact Don Garber – 215-568-8250.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The construction contractor for this project defaulted in the middle of the construction and the project was halted. The NRM funding for this construction package was five (5) year money and the funding ran out prior to being able to restart the project.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (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):** Francis Cauffman is the licensed Architect of Record for the original Medicine Specialty Project. As part of their contracted services, they met with the end users, surveyed the existing conditions, designed the space plans, provided the construction bid documents which included architectural, structural, life safety, fire protection, mechanical, electrical and plumbing designs and provided construction period services. In addition, after the contractor defaulted the construction project, Francis Cauffman surveyed the completed work and available materials on site.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Since Francis Cauffman provided the original Medicine Specialty Clinics project stamped architectural documents; they hold the liability on the design for this project. Since they hold the liability and they are familiar with the details of this project in its entirety, it is logical to allow Francis Cauffman to perform the Construction Administration Services. In addition, it does not make fiscal sense to contract with and pay another firm who is not familiar with the original construction documents.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price was negotiated and it is considered to be fair and reasonable. Also, the A/E firm is willing to wait until the legal case is settled at no extra cost.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted because of the proprietary nature and liability issues of the architectural design. The initial architectural design is an original design conceived by Francis Cauffman and implemented in their licensed construction documents. Therefore soliciting this to other firms is not practical.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The project has been delayed over five (5) years due to legal and funding issues. This delay has caused significant environmental and space issues for the Medicine Specialty Clinics, because there are unfinished areas and spaces closed for construction. Funding for the design project is available immediately.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
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:** There will be no additional subsequent acquisitions.
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.


 Brian C. Murdock
 Assistant Chief of Facilities Management
 642-CMCVAMC

7.20.16
 Date

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

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

 Debra Fisher
 Contracting Officer
 NCO4

 Date

- b. **Director of Contracting /Designee:** I certify the justification meets requirements for other than full and open competition.

 Dianne E. Smith
 NCO4 Branch Chief, Construction-East

 Date