

DEPARTMENT OF VETERANS AFFAIRS

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

1. Contracting Activity:

Veterans Health Administration, Program Contracting Activity Central (VHA-PCAC)

Modification to Contract VA701-12-C-0092 for "Web-based Healthcare Specific Waste Management and Recycling Tracking System Service.

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

This justification is to support a modification to extend existing contract VA701-12-C-0092 with Practice Greenhealth for Web-based Healthcare Specific Waste Management and Recycling Tracking System Service for an additional six (6) month period in accordance with FAR 52.217-8 "Option to Extend Services." Contract VA701-12-0092 was awarded in 2012 and contained four (4), one-year option periods. The last option period will expire on December 31, 2017.

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

This modification is to extend contract VA701-12-C-0092 by six (6) months to allow for the current Practice Greenhealth for Web-based Healthcare Specific Waste Management and Recycling Tracking System Service to continue. The webbased service is to provide VHA with a secure national web based system to track and aggregate healthcare waste disposal, recycling activities along with cost and revenue. The service must be able to accomadte the current 152 VA medical centers/ Healthcare system and the 900 VHA staff that will need accesss. The service must be able to provide waste diversion data in accordance with Executive Oder (EO) 13693 as it relates Municaple Solid Waste (MSW) and Construction and Demolition debris (C&D) at the national, VISN and facility level. The value of this six (6) month extension is \$61,430.00.

The Web-based service must be able to generate report regading waste operation and environmental benefits for all healthcare waste catigories and provides VHA the ability to:

- Accurate benchmarking operations
- Track Waste diversion and Cost avoidance
- Standardize waste management and recycling data management system wide.
- Positions the VHA for future growth in waste management and recycling.

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):

In our efforts to better track waste management operations, waste diversion, cost avoidance and improve data quality, Environmental Programs Service has partnered with Practice Greenhealth (PGH) to develop and implement the Greenhealth tracker waste and recycling data system to provide "Waste Minimization and Compliance Report" data.

The Greenhealth tracker is designed to track, collate and manage waste and recycling data in a real time web based system. This system has the ability to generate reports, identify trends and calculate waste diversion and cost avoidance across waste streams generated both locally, and nationally. The waste management program goals going forward are to continue to improve our operational process in a effort to capture global waste management activities and cost avoidance data that will be instrumental in driving program improvements system-wide. We are seeking to create a process that will provide real time, or near real time data, that allows for cost comparisons, identifies trends, drives cultural change and establishes corporate sustainability.

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

In accordance with the Competition in Contracting Act (CICA), the original contract awarded for this project was competitively solicited and evaluated.

This Justification for Other Than Full and Open Competition will be posted to Federal Business Opportunities with the solicitation. It is the intention of the VA to issue a new solicitation and subsequent contract for Web-based Healthcare Specific Waste Management and Recycling Tracking System Service at the completion of this six (6) month extension. However, at this time, the VA must issue a modification to extend the contract in accordance with FAR 52.219-8 "Option to Extend Services"

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

The proposal provided by Practice Greenhealth for the additional six (6) months contains the same pricing as to what was provided in the original contract and option years. The Contracting Officer will compare the pricing received and share with the VA's technical expert to ensure the pricing is fair and reasonable.

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

The market research for the original contract was conducted in 2012, including a Sources Sought notice published to FBO.gov. After review of the market research it was determined that the project would be a 100% small business set-aside. Practice Greenhealth was awarded this contract as a small business and each year, prior to the exercising of their option year, they were determined to be a responsible contractor. For this modification, no additional market research was performed. The addition of FAR 52.219-8 "Option to Extend Services" allows for the VA to extend the contract for up to six (6) months, without any additional market research. The VA will perform new market research prior to the issuance of the new solicitation for these services. A sources sought notice will be published in January of 2018.

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

Based on the cost estimated that we calculated, the cost of a new contract would require \$450,000 to \$500,000 in funding, if issued to a new vendor, which will take a tremendous amount of time to secure and prepare the contract package.

Without this contract VHA will not be able to meet its requirements to track and report on its waste diversion, recycling and sustainability activities in accordance with EO 13693 and VA policy.

Moreover, 900 VHA staff will lose access to a valuable tool, which has become a major component of their program operation, without a substitute system available in its place. This is the situation we are trying to avoid by putting the extension in place until the funding and new contract can be awarded.

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

Practice Greenhealth (PGH)

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:

At the conclusion of this six (6) month extension, the VA will issue a new contract for these services. New market research will be conducted to determine what contractors are interested in the project. A competitive solicitation will be issued in accordance with the market research results.

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.

Derrick Morrison

Program Manager, Waste Management and Sustainability

Environmental Programs Service (10NA7)

VHA Office of the Deputy Under Secretary for Health for Operations and Management.

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.

John Yallech, Jr.
Contracting Officer
VHA PCAC

Date