

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 22, VASNHC Medical Center
The U.S. Department of Veterans Affairs, Contracting Office Las Vegas, proposes to enter into a contract on a basis of other than full and open competition for the activation of the New VA Hospital in Las Vegas, NV.

Nature and/or Description of the Action Being Processed: The U.S. Department of Veterans Affairs, Contracting Office Las Vegas, proposes to enter into a firm-fixed price contract on a basis of other than full and open competition as authorized by PL 109-461 Section 502 (e) "ELIGIBILITY OF SMALL BUSINESS CONCERNS."
2. **Description of Supplies/Services Required to Meet the Agency's Needs:** Conduct a Fire and Life Safety survey of buildings 1 (Main Hospital), and Bldg. 5 (Community Living Center), prepare the Joint Commission Statement of Conditions, and train three VHA personnel on how to develop and maintain the e-SOC for the Southern Nevada Veterans Healthcare System located at 6900 N. Pecos Rd, N. Las Vegas, NV 89086.
3. **Statutory Authority Permitting Other than Full and Open Competition:**
The statutory authority permitting other than full and open competition is PL 109-461 Section 502 (e) "ELIGIBILITY OF SMALL BUSINESS CONCERNS."

 - ☐ (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;
4. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Upon the basis of the following statute authorizing other than full and open competition of the proposed contract pursuant to the authority of 41 U.S.C. 253(c)(*). PL 109-461 Section 502 (e) "ELIGIBILITY OF SMALL BUSINESS CONCERNS."
5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Per PL 109-461 Section 502 (e) this will be sole sourced to a SDVOSB.
6. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Pricing for the same Statement of Conditions reporting, Fire and Life Safety survey, and training was contracted within the last year for a requirement at the Loma Linda facility (PO 600 C10379) in the amount of \$110,000 for 902,516 square feet or \$.12/sq ft. Through market research, we located a

SDVOSB (1st Fire Protection) that has provided services for other VISNs and is fully verified within VetBiz.gov. An IGE was prepared by the using service based on financial information provided at a recent conference, experts in the field and preliminary market research with the proposed contractor. The estimated price for this service will be roughly \$58,100.00 for total square footage of 830,000. That equates to an estimated price of \$.07/sq ft. with a savings to the Government of \$41,500.00. Based on this information, the Contracting Officer anticipates a fair and reasonable price.

7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This requirement was contracted within the last year for Loma Linda utilizing nationwide GSA schedule holders and received only one response. The proposed price was unreasonably high and the solicitation was resolicited as a small business set-aside. Our requirement is exactly the same as the Loma Linda solicitation. We have little reason to believe the results would be drastically different based on location alone. Therefore, we moved forward in locating a SDVOSB that could provide this service and successfully verified in VetBiz.gov.

8. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A


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

1ST FIRE PROTECTION AND CODE CONSULTANTS, LLC
1520 MAIN STREET
INDIANAPOLIS, IN 46224-6527

Phone: 317-437-6951

10. **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:** N/A

11. **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.

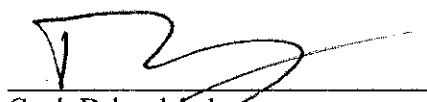


Michael T. Langley
Safety & Occupational Health Specialist
VASNHC Medical Center

6-27-12
Date

12. **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.

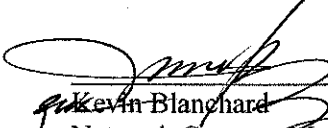


Gayk Dzhordzhalyan

6/27/12
Date

Contracting Officer
VASNHC Medical Center

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



Kevin Blanchard
Network Contract Manager
VISN/NCO 22

6/27/12
Date