

DEPARTMENT OF VETERANS AFFAIRS
Huntington VA Medical Center

Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office-VISN 09, Huntington VA Medical Center; 1540 Spring Valley Drive; Huntington, West Virginia 25704. Purchase Requisition #581-12-3-598-0018.
2. **Nature and/or Description of the Action Being Processed:** The Huntington VA Medical Center has a requirement for a Specialty contractor to Replace Windows in Building #6 on the medical center campus.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The project requirement is for provide all labor, materials, equipment and expert supervision needed to successfully perform the requirements for Project #581-12-107, Replace Windows Building #6. Work shall include, but is not limited to demolition and removal of existing structures and replacement of exterior windows as indicated on plan sheets and as required by notes and detail sheet and specifications. The resulting contract action will be a Firm Fixed Price. The contract performance period will be 120 calendar days from receipt of Notice To Proceed.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - () (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
 - (X) (5) Authorized or Required by Statute FAR 6.302-5; Under the authority of 38 U.S.C 8127 (c).
 - () (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):** Abrams Group Construction is a Service Disabled Veteran Owned Small Business based out of Pace, Florida. Abrams Group Construction has earned a reputation for solid project planning, cost control, safe project sites, and meeting client objectives with prompt execution of scheduled goals. Abrams Group Construction

has intimate knowledge in administering contracts for local, state and federal government agencies. They've developed a proprietary web-based database and tracking system to help with FEMA and the U.S. Army Corp of Engineers to support their reporting requirements. This is a flexible system that can be customized to the requirement of other agencies as well. Abrams Group Construction provides cost-effective project achievements, and has established relationships with other construction crews across the country that can handle any construction, demolition or disaster related venture.

The Huntington VA Medical Center intends to sole source the requirements for Project #581-12-107 to Abrams Group Construction. Public Law 109-461 provides the Department of Veterans Affairs with unique and extraordinary contracting authority with Service Disabled Veteran Owned Small Businesses (SDVOSBs) and Veteran Owned Small Businesses (VOSBs), utilizing the Veterans Benefits Act of 2003 under the authority of 38 U.S.C. 8127 (c); proposed contract actions under this authority are approved for Other Than Full and Open competition. The government anticipates that an award will be made based on fair and reasonable pricing.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Future efforts to be taken to ensure that offers are solicited from as many potential sources as practical, will be the establishment of a database maintained by the Contracting Officer of Specialty contractors.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The government anticipates the cost associated with the replacement of windows in building #6 will be fair and reasonable, based on preliminary pricing and negotiation efforts made on behalf of Abrams Group Construction. It is not anticipated that change order contracting or certified cost and pricing data will be required, as the project work is not of a complex nature and the dollar magnitude is below the requirement for certified cost or pricing data.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The state of West Virginia has a licensing requirement for both general and specialty construction contractors. Market research was conducted via the Vendor Information Pages and the Central Contractor Registration dynamic small business search based on the NAICS code 238350. The results of the market research indicates that while there may have been a sufficient number of SDVOSB available to perform the work of the requirement, few if any of these are licensed contractors. Abrams Group Construction is a licensed contractor.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Not Applicable
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** "See Section VI above."
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:** "See Section VI above."

Project #581-12-107, Replace Windows Building #6
Huntington VA Medical Center
VA249-12-R-0082

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

Title COR


Facility: Huntington VA Medical Center

7/25/12

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.



Name: ROXIE ANN KEESE

Title: Contracting Officer

Facility: Network Contracting Office (NCO 9)

6/26/2012

Date

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



Name: LINDA S. GREAVES

Network Contract Manager

Network Contracting Office (NCO 9)

6/26/12

Date