

**DEPARTMENT OF VETERANS AFFAIRS**

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

**Acquisition Plan Action ID: VA263-17-AP-7532**

**1. Contracting Activity:**

Department of Veterans Affairs, VISN 23/NCO 23, VA Central Iowa Health Care System, Des Moines, IA Medical Center.

Acquisition Planning Number: VA263-17-AP-7532  
Purchase Request Number: 656-17-3-239-0055

2. **Nature and/or Description of the Action Being Processed:** A new firm-fixed price contract to FourFront Design Inc. is needed to provide design development (DD) and construction documents (CD) for NRM Project 656-15-265, Upgrade IT Closets. This requirement will allow the project to move from the schematic design development phase to the construction phase. FourFront Design Inc. has furnished to the government conceptual, schematic and impact design documents for this project. The construction project will incorporate Facility Infrastructure Standards and Improvement (FISI) standards and set forth applicable guidelines for compliance and safety measures in 56 locations throughout the St. Cloud VA campus.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Architect and Engineering Services in support of generating construction documents for 56 different IT closets throughout the St. Cloud VA Campus. The design will incorporate current FISI standards, ensuring OI&T closets have required dedicated power circuits, that circuit loads do not exceed 60%, equipment needing emergency power is connected to emergency power, convenience outlets are available, air conditioning and fire suppression are installed to meet facility standards and guidelines.

Delivery of 100% construction document bid package to VACIHCS is expected to be 14 weeks after issuance of Notice to Proceed (NTP).

Estimated Value: \$350,000.00

**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;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** FourFront Design, Inc. was originally issued a task order for the design of NRM Project 656-15-265, Upgrade IT Closets. The original design incorporates conceptual, schematic and impact development documents. The St. Cloud VA Facility has decided that it would like to utilize these documents for construction

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documents, for the sake of awarding a firm-fixed price construction contract, utilizing those documents. Approximately 50% of the total design effort to formulate these construction documents has already been accomplished, as the design development documents are in effect a roadmap towards construction documents.

Services requested for this acquisition would utilize the initial design documents from FourFront Design Inc's original task order which have been nearly completed and will be reviewed by VA Engineering. It is expected that if another A/E firm is used there will be substantial duplication costs to the Government that would not be recovered through the use of competition. Redesign efforts are estimated to cost approximately \$210,000 while the estimated cost to compete a brand new design from the start would be greater than \$620,000.00.

The deliverable timeframe of 100% Construction Documents bid items is estimated to be approximately 14 weeks from the issue of the NTP versus greater than 36 weeks if a brand new design is competed and completed by another A/E firm. NRM Project 656-15-165 appropriations for construction obligation are contingent upon receipt of final construction documents which is slated for FY2018. Therefore, delays in completing the design in a timely manner pose a risk to the facility by not awarding a timely construction contract. Construction Period Services will last throughout the duration of the project; which has an anticipated period of performance of 300 days once awarded.

Accordingly, FourFront Design Inc. is the only firm capable of providing the design services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of costs which could not be recovered through competition. Re-competing the A/E design would also result in unacceptable delays in fulfilling the requirements.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The original task order for this design was competed from the NCO 23 IDIQ with all NCO 23 IDIQ contract holders' qualifications being reviewed and evaluated.

Other A/E firms were considered for this action however, they are expected to be unsuccessful if this action were to be re-competed due to the nature of the acquisition described in Number 5 as no other A/E firm has the proprietary Design Development Documents.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated costs shall be determined Fair and Reasonable by the awarding Contracting Officer based upon market research and past similar requirements. It is expected that negotiated and awarded per hour costs of each of the disciplines that were used on the NCO 23 IDIQ for FourFront Design, Inc. can be used to assist in finding the price fair and reasonable for the new requirements. A technical evaluation will be completed to ensure that the number of labor hours proposed is fair and reasonable based upon the VA anticipated effort for investigations, design, and design documentation for this project.

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

No market research was conducted due to an examination of the acquisition history and experience of other A/E firms. Other A/E firms are unable to use a portion of the design completed by

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FourFront Design, Inc. without having to duplicate efforts made in the original design including redesigning to their own standards and/or means, reviewing the completed design, or understanding the need of the project in whole.


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

The detailed site investigation, conceptual planning, impact planning and 100% Schematic Design Development Documents were completed by FourFront Design, Inc. for the original schematic design for this project. The new requirements can utilize the design documents of the original design. Being able to use these design documents will eliminate duplication of design and construction documentation costs and eliminate excessive time in development of the re-design/scope changes of this project.

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: None

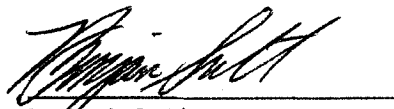
12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Justin Lappin  
Chief of Projects, Facilities Management  
VAHCS St. Cloud, MN

7/28/17  
Date

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

  
Benjamin Smith  
Contracting Officer, NCO 23  
VACIHCS Des Moines, IA

7/31/2017  
Date

b. Director of Contracting /Designee (Required over\$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

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**Michael Casper**  
**574272**

Digitally signed by Michael Casper 574272  
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@va.gov, cn=Michael Casper 574272  
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**Michael Casper**  
**Construction Branch Chief, NCO 23**  
**VACIHCS Des Moines, IA**

**7/31/17**

**Date**