

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition

**Acquisition Plan Action ID:** Contract # 36C25818C0050

1. **Contracting Activity:** Department of Veterans Affairs, VHA/SAOW, NCO 22 - Gilbert, Tucson Office 85723. 2237 # 644-18-3-241-0436.
2. **Nature and/or Description of the Action Being Processed:** The NCO 22 - Gilbert Contracting Office proposes a new standalone contract, using firm-fixed price with Johnson Trucking for non-emergency linen transportation services. These services will be utilized to pickup soiled linen at both Southern Arizona VA Health Care System (SAVAHCS) and Northern Arizona VA Health Care System (NAVAHCS) medical facilities and transported to Phoenix VA Health Care System (PAVAHVS) for exchange with clean linen with a return trip to each facility (SAVAHCS and NAVAHCS).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The purpose of this requirement is to satisfy an urgent need for linen transportation via utilizing the incumbent contractor for continuity of services and to protect veteran patient lives. Services includes the transportation of linen on Tue-Thur and include the CBOC locations when required estimating at least 2 additional deliveries per month for CBOCs. Services shall be provided on a daily basis and shall include all federal holidays. It is estimated that the contractor will provide 101 round trips in a period of 20 weeks. The performance period of the contract shall be 4 months and three weeks with a period of performance of April 13, 2018 through August 31, 2018 at an estimated cost of \$104K.
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;
  - (X) (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 accordance with the authority FAR 6.302-2, this procurement is required under unusual and compelling urgency. NCO 22 - Gilbert Tucson Contracting Office awarded contract No 36C25818C0044 for non-emergency linen transportation services on April 1, 2018. On April 11, 2018 GAO communicated with the Contracting Office that a protest was filed and requested to suspend all services until a decision is made by the GAO. The Environmental Department has been left with no alternate transportation service which will immediately begin to have direct affect to patient care on two major VA Hospitals requiring the services SAVAHCS and NAVAHCS. The SAVAHCS needs to procure replacement linen transportation services which can immediately begin transporting linen to and from their scheduled locations.

- 6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** In order to obtain this service, and to solicit as many potential sources as practicable, the SAVAHCS intends to award one stand-alone contract for a period of 20 weeks. The contract will be made to the Johnson Trucking who is an SDVOSB registered in VetBiz and who is a capable to begin the services on a short-term basis. The original solicitation only produced 3 total proposals from interested contractors in which now 2 of the three are involved in the protest.
- 7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The estimated cost of \$104K for proposed award 36C25818C0050 is based off the incumbent contractor's (Johnson) response to RFP 36C25818Q0009 posted 18 January 2018 for services to be performed on the suspended award. Additionally, Johnson provided an updated quote for services to be provided on 36C25818C0050 in response to emergency request for quotation dated 12 April 2018. These costs were already determined fair and reasonable via price analysis IAW FAR 15.404-1 by the awarding CO.
- 8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was done to find SDVOSB or VOSB contractors, two separate Sources Sought Notice No. VA258-17-Q-0314 (posted 31 August 2017) were posted using NAICS Code 484220 which resulted in responses from only 1 SDVOSB, 0 VOSB, and 3 Small Business Firms. Sources Sought Notice No. 36C25818Q0009 was posted using NAICS Code 484110 which resulted in responses from only 2 SDVOSB. A search in VIP resulted with a list of contractors of who 10 were contacted directly by email. The Solicitation was posted and produced only 3 offers who submitted proposals.
- 9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**  
As a result of a protest to the awarded contract of linen transportation services, the two (2) VA Medical Centers need to obtain immediate replacement services so that linen transportation can resume with minimal impact to the Veterans. Competing this requirement will cause undue delay and leave two (2) major VA Medical Centers with no ability to maintain their linens. Soiled linen would accumulate creating possible hazardous contamination in specific areas. Without providing a regular delivery of clean linen to the SAVAHCS and the NAVAHCS the two medical facilities would find themselves in a violation of the Joint Commission Infection Prevention and Control standards in direct relation to the National Association of Institutional Linen Management. Currently, there are no other internal procedures to perform these services without having to utilize a transportation service to pick up and deliver clean linen. The medical centers in Tucson and in Prescott do not have other forms of cleaning their hospital linen without sending it to the Phoenix VA. The services are not available through a current contract vehicle that could be used temporarily on a national level. The Environmental Management Services for all three VA Medical Centers require an emergency contract to prevent any patient care from being affected by this protest. Award of a stand-alone contract will allow SAVAHCS and NAVAHCS to continue transporting linen to PAVAHCS for linen exchange while the protest is disputed and a decision is rendered by the GAO.
- 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:** Not Applicable
- 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.

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Russell L. Matuszak  
Laundry Foreman  
Phoenix Arizona VA Health Care System

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Date

**12. 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.

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Thomas Hal Robinson Jr.  
Branch Chief, Services 1  
NCO 22 Gilbert Division

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Date

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Bonny J. Payne  
Deputy Director of Contracting  
NCO 22 Gilbert Division

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Date