

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.
2. **Nature and/or Description of the Action Being Processed:** This project is named “Palliative Care – TCU Expansion” and is a project that will renovate approximately 2,000 square feet of interior space as well as build out an additional 1,000 square feet located on the northwest side of the third floor. The build out will convert an existing open porch into a therapeutic enclosed atrium. The interior porch will also require new HVAC, Electrical and Fire Suppression Systems. The interior renovation area will be gutted and reconfigured into a Patient Living Room, Private Dining Room, Nourishment Room, and Patient Lounge/ Kitchen.
3. **Description of Supplies/Services Required to Meet the Agency’s Needs:** Exterior windows and associated accessories that will match the existing windows previously bought for this space that is currently in storage. The estimated value of the Pella Windows is \$600.
4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).  
  
  - ( 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).** The Renovate Research North construction project that is currently in design will one day complete the 2<sup>nd</sup> half of the research wet lab space in the basement level of the main Wade Park medical center. This project will adjoin the 1<sup>st</sup> half of the basement wet lab space that was renovated in 2011. Midmark Casework was ordered under a previous blanket purchase agreement for the entire basement wet lab space, but due to changes in funding and project priorities, the original research construction project was shelved, and then later rescope into two separate projects. The first project, Research Renovations, completed the southern half of the basement wet labs and the current project, Renovate Research North, will complete the northern half of the basement wet labs. Midmark casework has been stored offsite at several locations, the most recent being APG Office Furnishings, while awaiting the completion of the Renovate Research North project. While in storage, some of the Midmark casework has been damaged. Additionally, some of the Midmark casework intended for the Research North

area was incorrectly installed in the southern lab area leaving gaps in the casework inventory. The casework requested will allow the facility to use the existing casework in storage by filling in any gaps in the existing casework inventory for a complete installation and provide continuity of casework throughout the basement Research wet lab space.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This procurement will be competed and synopsized on Fed Biz Ops ( [www.fbo.gov](http://www.fbo.gov)) and will indicate the requirement for brand name specification for the Midmark Casework. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated that two (2) or more bids will be received through the sealed bidding process. If two (2) or more bids are received then the cost of the entire project will be considered fair and reasonable to the government based on competition.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** No other casework manufacturers can match the casework finish, hardware and accessories to integrate with the existing Midmark casework being held in storage.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. See Items 5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None. (A Market Survey will be completed on the entire construction project).
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:** Not Applicable – See Item 5.
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  
Richard E. Clark  
COR  
Louis Stokes Cleveland VAMC

\_\_\_\_\_  
03/20/2018  
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.