

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:** T-Clear pavers are the preferred roof systems bonded ballast and insulation used on the 6th floor roof. It creates a low weight ballast system that the existing structure can support. It also creates a protective layer over the membrane which prevents accidental puncture and UV degradation. The estimated value of the insulation and bonded concrete ballast is \$39,350.
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 medical center is actively replacing aging roof systems with a protected roof membrane assembly. We have several existing roofs that are structured in such a way that they can’t support the added load of a ballasted roof. The TClear insulation pavers offer a low weight interlocking system that protects the membrane and provides the necessary insulating values required by code. The medical center prefers to have one type of roof system that makes maintenance of the system easier for future modifications. Currently this product is only produced by TClear in the United States.

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 synopsisized on Fed Biz Ops (www.fbo.gov) and will indicate the requirement for brand name specification for the T-Clear Pavers. 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:** Medical center has investigated the ability of other paver manufactures to meet the requirements of the system weight and performance. T-Clear pavers are the only known manufacturer within the United States and sells direct from manufacture.
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.

DIANA J. PITTMAN
