



Justification for Other than Full and Open Competition

Date: 6 August 2018

Contract Number: 36C25818C0089

Nomenclature: Mold Abatement

Estimated Delivery or Period of Performance: 7 Days after Award

1. Agency and Contracting Activity:

Department of Veterans Affairs
NCO22-Gilbert Network Contracting
777 East Missouri, Suite 300
Phoenix AZ 85014

2. Nature of Action Being Approved:

This document is to provide the supporting details surrounding the subject acquisition, awarded under Urgent and Compelling Circumstances IAW FAR 6.302-2.

3. Description of Requirement:

Emergency Repairs to remediate mold damage to Primary Care rooms 1005, 1004, 1003, and A1019 of Building 500. Contractor will be required to abate, install regulated infections control work areas, and clean up sewage in areas of contamination

4. Statutory Authority permitting other than full and open competition:

Urgent and Compelling Circumstances IAW FAR 6.302-2,
10 U.S.C. 2304(c)(2) or 41 U.S.C. 3304(a)(2).

5. Circumstances and Support for Urgent and Compelling Requirement:

The facility experienced an unexpected sewer leak inside an interior wall of Building 500 which had gone undetected causing black mold on an interior wall in Primary Care rooms 1005, 1004, 1003, and A1019 of Building 500 Loma Linda Health Care System. Immediate remediation and repair is required to limit disruption to patient care. This lends itself to an emergency in accordance with FAR 6.302-2, and a local vendor capable of providing the service on short notice is Walter Thomas & Associates Inc.

6. Description of Solicitation Efforts and Exemptions

This contract action is made under the conditions described in FAR 6.302-2 Urgent and Compelling circumstances. Furthermore, this acquisition is posted IAW 5.202(a)(2).

7. Market Research and Price Reasonableness:

Due to the urgency of this acquisition, a limited, informal query was conducted of the Federal Procurement Data System (FPDS-NG), System of Award Management (SAM), as well as Vetbiz.gov for potential sources.

The Independent Government Estimate (IGE) referenced one vendor with estimated pricing based on previous acquisition history for the same or similar services.

Due to the urgency, and stressed timeline of the requirements, Walter Thomas & Associates Inc. was an offeror who provided written interest in fulfilling this requirement.

8. Determination and Findings:

Walter Thomas & Associates Inc. has adequate financial resources to perform the contract, or the ability to obtain them (see FAR 9.104-3(a)). The vendor has adequate financial resources to perform the contract with minimal risk to the government, and are financially capable to perform the services in accordance with the Statement of Work and performance schedule. Furthermore, the contractor has successfully completed similar requirements with other VA medical centers and commercial entities on previous acquisitions.

9. Price Reasonableness Determination:

It is determined the price is fair and reasonable per FAR 15.404-1(b)(2)(v), the price is fair and reasonable in comparison to the Government estimate. The independent government estimate (IGE) of \$28,385.00 was submitted by the requiring activity for this procurement based on market research, informal requests for quotation, previous acquisitions of a similar type, and price comparison to the RS Means unit pricing book. The awarded price is \$28,385.00.

This award is being made pursuant to FAR 6.302-2 Unusual and Compelling Urgency. If award of purchase order were delayed it would further jeopardize the safety of all personnel and patients.

10. Statement of Actions to Overcome Competition Barriers:

Continued market research efforts for Service Disabled Veteran Owned Firms capable of quick execution for similar services in future acquisitions.

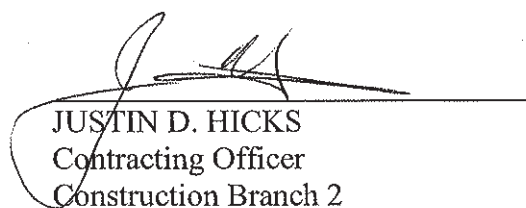
11. Contracting Officer's Signature:

Based on the above, Walter Thomas & Associates Inc., has been determined to be a responsible contractor, in accordance with FAR Subpart 9.1, for performance under Contract No. 36C25818C0089.

I certify that this information is accurate and complete to the best of my knowledge and belief, and to be in the best interest of the government.



KIM LEONE
Contract Specialist
Construction Branch 2



JUSTIN D. HICKS
Contracting Officer
Construction Branch 2