

Procurement Package Checklist

Purpose: To ensure standardization of the submission process for equipment and supply projects the below check list will accompany the request for procurement. Please ensure all VHA policies and directives are being applied to this acquisition request.

ALL DOCUMENTS ARE TO BE PROVIDED ELECTRONICALLY.

DATE: _____ **2237#** _____

COR NAME (if applicable—[VHAPM Part 801.603-70 COR SOP](#)): _____

COR PHONE # _____

COR TRAINING COMPLETE _____ **Link to:** [COR Nomination Memo](#)

	Enclosed	Not Required
<p>1. Provide users of supply/service by department, name and phone number. List must include a person and/or user group responsible for quality requirements of the contract.</p> <p>List the departments who will use the supply or service being requested. Include contact information for each department.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2. 2237 FUNDED <input type="checkbox"/></p> <p>2237 #:</p> <p>The project needs to be funded before moving forward. If it is unfunded, please speak to the Fiscal Department.</p> <p>For more information on procurement package submittal, please visit the VHA Procurement Manual Volume Three Chapter II – Customer Reference Guide</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. IT Tracking Number: Provide IT tracking number if this is an IT requirement. Contact your local ISO to determine if your requirement requires a tracking number.</p> <p>Contact the System Administrator (IRM) and you're COR to determine if your request is an IT requirement. If you do have an IT requirement you must submit the required attachments such as statement of work, independent government estimate, copy of 2237, etc. in to the below listed portal. Tracking is on "VA IT Acquisition Request System" (ITARS): http://vaww4.va.gov/itt/default.asp</p> <p>If your request has not been entered into the IT System's portal, it will be returned to the IT Department until it has been input into the new portal.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>4. Is this a recurring requirement? If it is provide the following:</p> <p>Prior Contracting Officer: _____</p> <p>Prior year IFCAP Purchase Order number: _____</p> <p>Prior year contract number (current or expired): _____</p> <p>The requested information can be found in the IFCAP database. For help accessing the IFCAP database, please contact IRM support.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>5. List any VA Directives or policies that the supply or equipment being purchased must comply with:</p> <p>A reference of most Directives and policies can be found here: http://vaww.va.gov/vapubs/index.cfm</p> <p>Contact your COR and/or subject matter experts to learn more about VA Directives and policies that the item you are purchasing must comply with.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6. Veterans First Contracting Program: When determining source of supply, reference FAR 8.002 and VAAR 808.002 in Class Deviation—Implementation of the Veterans First Contracting Program. Please ensure the “Rule of Two” is adhered to. If you have questions, consult with your Contracting Officer.</p> <p>The order of sources for competitive actions is as follows:</p> <ul style="list-style-type: none"> • Service-Disabled Veteran Owned Small Business (SDVOSB) • Veteran Owned Small Business (VOSB) • GSA Contracts • Contract Vehicles such as IDIQ’s and BPA’s 	<input type="checkbox"/>	<input type="checkbox"/>

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<p>7. Sole Source:</p> <p>If a sole source is requested, a justification and approval (J&A) document is required. The justification document is a collaborative effort between the requiring activity and the contracting office and must be initiated by the requirements office by filling out the form and submitting it to the contracting office with the original procurement package. Please contact your NCO to determine which justification template in Table 3.1.6 of VHAPM Part 806.3 Other Than Full and Open Competition SOP is appropriate for your sole source request.</p> <p>Note: If the item you are purchasing must be provided by only one company- a specific item only offered by one supplier for example - you must provide convincing and thorough evidence that only that one company can meet the needs of the project. This justification should demonstrate that the specific equipment or product you are requesting is not only a preference but that it is also a necessity.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>8. Federal Supply Schedule (FSS):</p> <p>Is the item(s) on GSA/FSS? If item(s) is/are on FSS, were multiple FSS vendors considered? If yes, please provide documentation on why the selected vendor is the best value.</p> <p>GSA Contract Number: _____</p> <p>Search the FSS website to determine if the item is available on it. If it is, write the GSA/FSS Contract Number in the space provided above. Show documentation for the vendor with the best value. If the item is part of a Bulk Purchasing Agreement (BPA) please write any details of that agreement in this space.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>9. Functional/Performance/Specification/Salient Characteristics: (Word Doc) Describe equipment/supply use. If brand name items are requested, it must be supported by a sole source justification.</p> <p>In this word document describe the equipment and/or supplies you will need in detail. Focus on the functionality of the items you would like to purchase and the end results they will help you accomplish. Include enough information so that someone with no knowledge of the project will understand what will be needed. In general, one or two sentences will not suffice, more detail is needed.</p> <p>Sample Specification language, Performance Work Statements (PWS), and Statement of Works (SOW) are available in the: <u>VHA Acquisition Business Intelligence Tool (VABIT)</u>.</p> <p>Applicable Drawings/Schematics: Provide any applicable drawings, maps, schematics in electronic format (if required) – example furniture or kitchen equipment purchases where space is a critical element for dimension or installation location requirements.</p> <p>In order to ensure that your product fits in its desired location, provide detailed drawings, maps or schematics of the area it will eventually reside in. The more detailed your drawings the less likely the error in size/fit of your requested item. This step is especially important for furniture and equipment that will take up a lot of a room’s space.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>10. Delivery/performance information, date item(s) required. A reasonable delivery date must be considered.</p> <p>Write the date you would like the item to be in your hands and ready to be used. Remember, there is a built in minimum timeline due to the various mandated steps in the contracting process. The number of days listed below represents the minimum number of days you can expect the CO to award a contract or issue a TO/DO after a completed and executable procurement package has been received by the CO. The minimum timelines after an executable package is received by the CO are listed below. Note these timelines do not account for the time from receipt of the package until found executable by the CO or any clarifications the CO must receive from the vendor.</p> <p>Consider the below time ranges as a guideline:</p> <ul style="list-style-type: none"> a. Simplified Purchase <\$25,000 - 40 days b. Competitive MAS-DO/TO <\$5Million - 39 days c. Non- Competitive <\$5Million - 42 days d. SEWP-DO - <\$5Million - 25 days e. Competitive - MAS-DO/TO >\$5Million - 143 days f. Non-Competitive - MAS-DO/TO >\$5Million - 142 days <p>After writing your delivery date, please also include detailed delivery instructions including the specific location you want the item delivered to, any necessary special delivery vehicles or requests, and any other information that could help ensure a smooth delivery.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>11. Market Research: Provide market research documentation to support procurement requests, including sole source requirements. If available, electronically attach any vendor quotes.</p> <p>Please use the Market Research Form template provided by Contracting.</p> <p>The first step in market research is to determine if your requested item must be purchased from a mandated source (i.e., Ability One or FPI). Check with the COR and/or CO to determine if your requested item is part of any Prime Vendor, National Committed Use Contracts, Mandatory Suppliers List, Bulk Purchasing Agreement, VHA Directive, Federal Supply Schedule (FSS) or other mandated purchasing list. If it is, include this information in the Market Research Worksheet with a copy of the mandating source. If not, then conduct your own Market Research to help determine the best source for your item.</p> <p>Market Research sources include: Manufacturer and Dealer catalogs, product brochures, trade journals, FSS, government economic data, and prospective vendors.</p> <p>If you are requesting that the item is purchased from only one specific company or vendor you must demonstrate detailed need for that one specific item and prove that it is unavailable through other companies/vendors.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>12. Independent Government Estimate (IGCE):</p> <p>An IGCE is normally not required for equipment or supply orders. However, the CO may require an IGCE if there are no other means to determine the offeror's price fair and reasonable.</p> <p>Information on how to develop an IGCE can be found here: VHA Procurement Manual Volume Three Chapter II Appendix B - IGCE Guide</p> <p>The IGCE serves as an important basis for determining the reasonableness of an offeror's proposed costs and understanding of a given solicitation. The IGCE is considered source selection information, and it should not be shared with anyone outside the VA Acquisition Team, absent the express consent of the CO. Please provide the methodology and data used to develop the estimate. A sample template is located in in Customer Reference Guide Chapter 10 Independence Government Estimate.</p> <p>If requirement contains multiple line items, the IGCE should be broken down by line item.</p> <p>In general, the most reliable estimates:</p> <ul style="list-style-type: none"> • Are made by someone who knows the product • Relies on the statement or scope of work documents • Considers last price paid, general market price changes, current commercial • Market price, quantity price breaks and possible substitutes • Applies market research above to the actual product procurement at hand • Uses quantitative techniques to determine the cost and does not rely on professional judgment • Researches historical acquisition trends 	<input type="checkbox"/>	<input type="checkbox"/>

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<p>13. Security: Identification of a position’s risk level as it relates to the efficiency and integrity of the Federal service; and identification of a position’s sensitivity level as it relates to a position with national security interests in accordance with VA Directive 0710.</p> <p>YES NO () () Will contractor work on VA property to install equipment? () () to a potentially sensitive area?</p> <ul style="list-style-type: none"> • Completed Security Assessment Form [Position Designated Automated Tool (PDAT)]. If applicable, the automated tool can be found here: OPM Position Designation Automated Tool . <p>ISO certification that requirement does or does not require applicable security clauses in accordance with VA Directive 6500 and 6500.6 which applies to all VA contracts in which VA sensitive information is stored, generated, transmitted or exchanged by a VA contractor, subcontractor or third-party, or on behalf of any of these entities regardless of format and whether it resides on a VA or a non-VA system, for the contractor, subcontractor, or third party to perform their contractual obligations to VA for the acquisition of goods or services where they stand in lieu of VA and act on VA’s behalf.</p> <p>The Checklist for Information Security Appendix A (“Appendix A”) of VA Handbook 6500.6 Contract Security must be completed for ALL acquisitions, with the exception of expendable supply items, which are defined in VA Handbook 7002, PART 3. CLASSIFICATION OF PROPERTY. The REQUESTER must include the phrase “expendable supply item” on the VA Form 2237 for all requirements of expendable supply items. Please use the 6500.6 Appendix A provided by Contracting.</p> <p>YES NO () () Will the contractor have access to the VA computer system/sensitive information? () () to patient records? () () will work on VA property</p> <ul style="list-style-type: none"> • Completed Security Assessment Form (VA 2280a). <p>YES NO () () Is a Business Associate Agreement Required?</p> <p>Send a copy of your Statement of Work and your attempted answers to the questions above to the ISO and PO and wait for their feedback. You may need to have a conversation with the ISO and PO to further justify or explain your answers.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>14. Pre-Procurement Assessment (PPA) for Medical Device/Systems</p> <p>Veterans Affairs (VA) Directive 6550 establishes the technical PPA requirements for medical devices and medical systems that are connected to the VA information networks and medical devices that store sensitive patient information. All medical devices/systems are to be assessed prior to procurement and during the acquisition process based on the following factors: These factors include, but are not limited to, establishing technical requirements to support intended clinical use, human factors engineering, reliability, safety, integration, and available space and utilities.</p> <p>The PPA serves as the multi-disciplinary (BME, OIT and ISO) technical review and approval process. As such, IT Tracker number (ITAR) is not required. Where medical/devices are procured off contract vehicle such as SEWP, that requires ITARS number, 6550 will be used as the default number.</p> <p>Evaluating the configuration and security profile of medical devices during the acquisition planning process will identify potential risks and ultimately provide for more effective and safe integration of medical devices into hospital operations. Key organizations involved in this process are: Biomedical Engineering, Information Technology, Information Security, and Contracting and Contractor.</p> <p>Does this medical/device store patient data and will be connected to VA information network?</p> <p>YES () NO ()</p> <p> If yes:</p> <p>Was Biomedical Engineering involved in the PPA process?</p> <p>YES () NO ()</p> <p>To ensure that Biomedical Engineering was properly engaged in the procurement of all medical device/systems, a completed copy of the 6550 Appendix A must be submitted with the procurement package.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>15. Evaluation Criteria for other than Lowest Price Technically Acceptable (LPTA) Actions: Provide a list of recommended technical evaluation panel members. Provide evaluation criteria to always include Price and Past Performance. Additional factors, such as Management Approach, Technical Capability and Quality Assurance may also be included. For each factor, please describe the information to be requested from the offerors that will be used to evaluate the proposals. Based on the complexity of the procurement, sub-factors may also be developed for each of these.</p> <p>Evaluation factors are the standards against which a Technical Evaluation Board measures the quality of each proposal. For this section, clearly state all the evaluation factors that you will consider in making the source selection and their relative importance. These factors inform offerors of all the significant considerations in selecting the best value source and the relative importance the Government attaches to each of these considerations.</p> <p>You must include a statement of the relative importance of each factor. This is done in a variety of ways, such as "Factor No. 1 is twice as important as Factor No.2", or if weights are used, by assigning weights to the individual factors to indicate their importance. The factors should answer the question, "what attributes and capability must an offeror possess to be able to successfully perform the contract?"</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Evaluation Team: Provide names of Government personnel to serve on the evaluation team. Make sure they are subject matter experts. Contracting will provide a Non-Disclosure Agreement (NDA) to be signed prior to evaluation of proposals. Please familiarize yourself with FAR 3.104 – Procurement Integrity.</p> <p>Provide names of subject matter experts who are agreeable and available to offer guidance on the vendor selection process. These people should have a very good knowledge of the product you would like to purchase and its actual usage. The evaluation team will use the evaluation criteria that you provided to rate each vendor. If you do not provide evaluation criteria, the evaluation team will usually choose the vendor that offers the lowest price that is technically acceptable.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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Instructions: Provide the completed Market Research Worksheet and associated documentation as required in paragraph 3 below to the contracting office with your Acquisition Requirements Package.

References: [FAR Part 10 – Market Research](#)
[VHA Procurement Manual Part 810.001 – Market Research](#)
[VA Acquisition Regulation \(VAAR\) Part 810 – Market Research](#)

1. In the space below, **describe the Government's requirement(s)** in terms sufficient to allow conduct of market research.

<p>Statement of Need.</p> <p style="text-align: center;">Describe the product/service AND the function/purpose of the requirement.</p>	
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- a. **Estimated Value (IGCE required over \$150K):**
- b. **Suggested [NAICS Code](#):**
- c. **Suggested [Product Service Code \(PSC\)](#):**
- d. **Technical Point of Contact (POC):**
 - i. **Name:**
 - ii. **Email:**
 - iii. **Phone:**
- e. **Project Name:**
- f. **Project Location:**
- g. **Building Number:**
- h. **Room Number (If applicable):**
- i. **Identify the type of requirement** (please select all that apply)
 - Supply/Equipment
 - Vendor Installation Required
 - Training required (approx. date) _____
 - Training Material/Deliverables
- j. **Install/Delivery requirements:**
 - V/C Item:** Vendor provided/General (Construction) Contractor Install (need by date) _____;
 Delivery Location:
 POC:
 - V/V Item:** Vendor Install (need by date) _____
 - Install by vendor providing item
 - Install by Activation contractor
 - Vendor Installation Not Required/VA Providing Installation

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Deliver to VA Warehouse (approx. date): _____

Address:

Warehouse POC and Contact Information:

Deliver to off-site Activation Warehouse (approx. date): _____

Address:

Warehouse POC and Contact Information:

2. **Has the requirement been purchased by the Department of Veterans Affairs (VA) previously?** (Check the appropriate block.)

Links:

[Federal Business Opportunities](#)

[Federal Procurement Data System – Next Generation](#)

[USAspending.gov](#)

Yes No Don't Know

a. If you answered **yes** above, provide the following information, if known:

b. List contract numbers and names of contractors who have **PREVIOUSLY** provided the requirement?

Contract Number(s):	
Name of Contractor(s):	
Date of Contract(s):	

c. Identify **EXISTING CONTRACTUAL VEHICLES** that can possibly be utilized for the requirement. List applicable contracts and their contract numbers.

Links:

[National Acquisition Center – MedSurg Catalog Search](#)

[National Strategic Source Listing](#)

[Strategic Acquisition Center \(SAC\)](#)

[NASA SEWP](#)

[GSA Advantage!](#)

Contract Vehicle:	(e.g., NASA SEWP, VETS GWAC, General Services Administration (GSA) Contract #)
Contract Number:	(indicate contract number or Schedule Number/Description, e.g. Schedule 70)

Does the requirement meet the requirements for environmentally preferable products as mandated by Executive Order 13514?

Yes No (Please check all that apply).

Recycled Content (CPG) Products

Energy Star/Energy-Efficient Products

Water Efficient Products – Water Sense

Biobased/Biopreferred Products

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- Alternative Fuel/Vehicles
- SNAP/Non-Ozone Depleting Substances
- EPA Priority Chemicals
- Environmentally Preferable Products (EPP)
- Electronic Product Environmental Assessment Tool (EPEAT)
- Not Applicable

3. Document actions you took to conduct market research, information obtained, and the proposed acquisition strategy to include the information described below:

Per PPM 2016-05 Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision: 38 U.S.C. § 8127 is mandatory, not discretionary and its text requires the Department to apply the Rule of Two to all contracting determinations; The Rule of Two contracting procedures in 38 U.S.C. § 8127(d) are not limited to those contracts necessary to fulfill the Secretary's goals under § 8127(a); and 38 U.S.C. § 8127(d) applies to orders placed against the Federal Supply Schedules (FSS).

Supplies (Mandatory IAW FAR 8.002):	Results from Market Research:
(1) VA inventories including the VA supply stock program (41 CFR 101-26.704) and VA excess:	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
(2) Excess from other agencies (FAR 8.002):	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
(3) *Federal Prison Industries (FPI) (See VAAR 808.603 Purchase Priorities) *VA COs may purchase supplies and services produced or provided by FPI from eligible service disabled veteran-owned small businesses and veteran-owned small businesses , in accordance with procedures set forth in subpart 819.70 , without seeking a waiver from FPI, in accordance with 38 U.S.C. 8128, Small business concerns owned and controlled by veterans: Contracting priority	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
(4) Supplies from Ability One - (VA AbilityOne Procurement List for Supplies/Services) (FAR 8.002): However, VA COs shall, prior to adding any new VA requirements to the Procurement List, conduct market research, apply the <i>VA Rule of Two</i> to consider Vendor Information Pages (VIP) verified service-disabled veteran-owned small businesses (SDVOSBs) and veteran-owned small businesses (VOSBs) as required in 38 U.S.C. 8127 and implemented in subpart 819.70 .	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
(5) Wholesale supply sources such as stock programs of the GSA (see 41 CFR 101-26.3), the Defense Logistics Agency (see 41 CFR 101-26.6), the Department of Veterans Affairs (see 41 CFR 101-26.704 (VA Subsistence Items)), and military inventory control points.	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable

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<p>(6) Prime Vendor and National Contracts/BPAs: Reference CPL&O Memo dated 23Aug16, Subj: Mandatory Use of Prime Vendor Distribution Contracts and National Contracts: It is VHA's policy that any item(s) that is/are available in prime vendor formularies/catalogs, it is mandatory in VHA that any such item(s) will be "ordered"/acquired through the prime vendor. It is also VHA's policy that items available on national contracts/BPAs that are not available via prime vendor distribution networks will be acquired by placing appropriate orders against these national contracts. Such orders will only be placed by properly warranted COs or properly trained Ordering Officers appointed by the appropriate CO. In cases where an Ordering Officer has been appointed, orders placed are not competitive contracting actions subject to the requirements of 38 U.S.C. 8127. In cases where OO appointments are NOT available, the appropriate CO must make a determination as to whether the Rule of Two applies (see the Decision Tree Tool to assist with the determination).</p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
Services (Mandatory IAW FAR 8.002):	Results from Market Research:
<p>(1) Services that are on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (see subpart 8.7). Note: VA COs shall, prior to adding any new VA requirements to the Procurement List, conduct market research, apply the <i>VA Rule of Two</i> to consider VIP verified SDVOSBs) and VOSBs as required in 38 U.S.C. 8127 and implemented in subpart 819.70.</p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
<p>(2) Unusual and compelling urgency. The contracting officer may use a source lower in priority than as specified in 808.002-70 when the need for supplies or services is of an unusual and compelling urgency (see FAR Subpart 6.302-2 and FAR Subpart 8.405-6).</p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
Use of Other Mandatory Sources (FAR 8.003):	Results from Market Research:
<p>Agencies shall satisfy requirements for the following supplies or services from or through specified sources, as applicable:</p> <ul style="list-style-type: none"> (a) Public utility services (see part 41). (b) Printing and related supplies (see subpart 8.8). (c) Leased motor vehicles (see subpart 8.11). (d) Strategic and critical materials (<i>e.g.</i>, metals and ores) from inventories exceeding Defense National Stockpile requirements (detailed information is available from the DLA Strategic Materials, 8725 John J. Kingman Rd., Suite 3229, Fort Belvoir, VA 22060-6223). (e) Helium (see subpart 8.5 -- Acquisition of Helium). 	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable

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Mandatory Sources for VA Ref. 38 U.S.C. 8127 and 8128:	Results from Market Research:
<p>Search the Vendor Information Pages (VIP) database at https://www.vip.vetbiz.gov/ and document their findings to ensure compliance with 38 U.S.C. 8127's "Rule of Two." VA must set aside procurements for VOSBs when market research determines that two or more VOSBs are able to meet the procurement requirements at a fair and reasonable price that offers the best value to the United States.</p> <p>NOTE: A determination of price fair and reasonableness does not have to be done during market research phase BUT is required prior to contract award.</p> <p>NOTE: In the paragraph above, "VOSBs" includes SDVOSBs. If market research reveals there are one SDVOSB and one VOSB, the action should be set aside for VOSB because a SDVOSB is also a VOSB.</p> <ul style="list-style-type: none"> ✓ Conduct Market Research by NAICS in VIP ✓ Verify Companies are VOSBs for Size Standard for NAICS in the System for Award Management (SAM) "Reps and Certs" ✓ Verify in VIP ✓ SDVOSB or VOSB set-aside is subject to the Limitations on Subcontracting clauses—VAAR 852.219-10. Any SDVOSB or VOSB that proposes to furnish an end product it did not manufacture (a "nonmanufacturer") must meet the requirements in FAR 19.102(f) to receive a benefit under the Veterans First Contracting Program. 	<p>Is there a reasonable expectation that two or more verified SDVOSBs/VOSBs in VIP is capable of providing the item will submit offers, and that the award can be made at a fair and reasonable price that offers the best value to the United States?</p> <p><input type="checkbox"/> Yes, action can be set-aside—two or more eligible SDVOSB/VOSBs can provide item(s) at reasonable price</p> <p><input type="checkbox"/> No, there are NOT two or more eligible VOSBs that can provide the items. COs should attach supporting documentation (excel spreadsheet with VIP search results or screen shots with search results) under (P02)</p>
808.004-70 Use of Non-Mandatory Sources by VA.	Results from Market Research:
<p>(1) IDIQ Contracts awarded by VISN, Region, or Local VA Contracting Officers for FSC Groups 65 and 66.</p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the VISN/Regional/Local IDIQ contracts, use competitive set-aside procedures</i></p>	<p><input type="checkbox"/> Available</p> <p><input type="checkbox"/> Not Available</p> <p><input type="checkbox"/> Not Applicable</p>
<p>(2) <u>GSA FSS and Pre-Existing Contracts, including Interagency and Intra-agency Contracts.</u></p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the GSA FSS/Pre-Existing Contracts including IAs, use competitive set-aside procedures</i></p>	<p><input type="checkbox"/> Available</p> <p><input type="checkbox"/> Not Available</p> <p><input type="checkbox"/> Not Applicable</p>
<p>(3) <u>Open Market Purchases, including Educational and Non-Profit Institutions.</u></p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the open market, including educational/non-profit contracts, use competitive set-aside procedures</i></p>	<p><input type="checkbox"/> Available</p> <p><input type="checkbox"/> Not Available</p> <p><input type="checkbox"/> Not Applicable</p>

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<p>(4) Eligible Beneficiaries: <u>1) A CO may authorize an acquisition from the Veterans Canteen Service or a commercial source when a VA healthcare official (e.g., social worker, physician) determines that personal selection of shoes, clothing, and incidentals will result in a therapeutic benefit to an eligible beneficiary.</u> <u>2) The CO must cite FPI, Inc., clearance No. 1206 in the purchase document for any purchase of dress shoes from the Veterans Canteen Service or a commercial source similar to FPI, Inc., Style No. 86-A.</u></p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
<p>(5) Three contracts for desktops and laptops have been established as mandatory: a. NASA Solutions for Enterprise-Wide Procurement (SEWP) b. GSA IT Schedule 70 c. National Institutes of Health Information Technology Acquisition and Assessment Center Chief Information Officer – Commodities and Solutions (CIO-CS) ✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the SEWP, GSA IT Schedule 70 contracts or others in this category, use competitive set-aside procedures</i></p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
<p>Use of Other Sources (FAR 8.004)</p>	<p>Results from Market Research:</p>
<p>If an agency is unable to satisfy requirements for supplies and services from the mandatory sources listed in 8.002 and 8.003, agencies are encouraged to consider satisfying requirements from or through the non-mandatory sources listed in paragraph (a) of this section (not listed in any order of priority) before considering the non-mandatory source listed in paragraph (b) of this section. When satisfying requirements from non-mandatory sources, see 7.105(b) and part 19 regarding consideration of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including 8(a) participants), and women-owned small business concerns (see VAAR 819.7004). VA COs must comply with PPM 2016-05 Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision.</p> <p>(a)(1) Supplies. Federal Supply Schedules, Governmentwide acquisition contracts, multi-agency contracts, and any other procurement instruments intended for use by multiple agencies, including blanket purchase agreements (BPAs) under Federal Supply Schedule contracts (e.g., Federal Strategic Sourcing Initiative (FSSI) agreements accessible at http://www.gsa.gov/fssi (see also 5.601)). (2) Services. Agencies are encouraged to consider Federal Prison Industries, Inc., as well as the sources listed in paragraph (a)(1) of this section (see subpart 8.6). (b) Commercial sources (including educational and non-profit institutions) in the open market.</p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on any of the categories above, use competitive set-aside procedures</i></p>	<input type="checkbox"/> Available <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable

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- a. **Companies/organizations contacted as part of your market research (including names, titles, and contact information):**
- a. **Technique(s) used to conduct market research (e.g., review of product catalogs, database queries, NASA SEWP Manufacturer Look-Up):**

- b. **Additional information obtained from market research including (as applicable):**
 - (i) **Test Data**-Data to validate suppliers' claims regarding product performance:

 - (ii) **Business Practices**-Business practices include information on factors affecting **how products are sold or distributed** in the market:

 - (iii) **References and validation data**-In order to verify the information provided by potential sources, contact references to verify the information submitted by the supplier and to obtain other users' views on how the item performs or on the quality of the service provided:

- c. **Conclusions based on market research information obtained.**

Customary Commercial Terms and Conditions:

Per [FAR 10.002](#), market research is conducted to determine if commercial items or nondevelopmental items are available to meet the Government's needs or could be modified to meet the Government's needs.

Information specific to the item being acquired, including but not limited to:

- a. **Whether the Government's needs can be met by –**

- b. **Customary practices regarding customizing, modifying or tailoring of items to meet customer needs and associated costs:**

- c. **Customary practices, including warranty, buyer financing, discounts, contract type considering the nature and risk associated with the requirement, etc., under which commercial sales of the products are made:**

- d. **The requirements of any laws and regulations unique to the item being acquired:**

- e. **The availability of items that contain recovered materials and items that are energy efficient:**

- f. **Results from [VIP](#)--are there two or more verified SDVOSB/VOSBs that are able to meet the procurement requirements?**

Surge Support Market Research

4. Identify individual(s), who completed the Market Research Worksheet:

Name:

Phone:

Title:

E-Mail:

Office:

a. Date(s) market research conducted:

b. Date Worksheet Completed:

INDEPENDENT GOVERNMENT COST ESTIMATE (IGCE) (Rev. 7-7-14)				
Products (including software, licenses)				
Item #	Description/Part Number*	Qty	Price	Extended Amount
SUBTOTAL (Products)				
Services				
Brief Description of Service*		Period of Performance		Estimated Amount
		No. of Months or Years	By Month or Year	\$s per Period
SUBTOTAL (Services)				
TOTAL IGCE				\$ -
*Check block(s) below that describe the basis for the IGCE:				
Past Contract Pricing		<input type="checkbox"/>		
GSA Federal Supply Schedule Published Prices		<input type="checkbox"/>		
Government Wide Acquisition Contract (GWAC) Published		<input type="checkbox"/>		

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>SAT)

****NOTE FOR USER: TEXT IN RED AND BLUE (PERTAINS TO LEASING ACTIONS) ARE INSTRUCTIONS AND SAMPLE LANGUAGE ONLY AND SHOULD BE REMOVED FROM THE TEMPLATE BEFORE SUBMITTING FOR APPROVAL.**

Acquisition Plan Action ID: _____

1. **Contracting Activity:** Department of Veterans Affairs, VISN XX, XXXX Medical Center
Fully identify the contracting agency and organizational activity responsible for the proposed contracting action. Identify purchase request (i.e. 2237) number, if applicable.

J&As for Real Property Procurements, include the following in accordance with the GSA Leasing Desk Guide, as applicable:

The [Enter information for the requesting VISN/VAMC] currently leases/is seeking [amount of space] NUSF/ABOAI[amount of space] which/to yield [amount of space] - rentable square feet (RSF) of office space at [street address, city, state] under lease number GS-() for Exemption (b)(7) the [Agency]. The current lease expires [date]. Approval is requested to negotiate a [enter information on type of lease required i.e.: new, new replacing or etc.] with [enter information as applicable: i.e.: the incumbent Lessor or etc.] without full and open competition for [enter information on the rationale for sole source, i.e.: continued occupancy at this leased Location or etc.] .

2. **Nature and/or Description of the Action Being Processed:** *Describe the action being reviewed and approved and state whether the action will be awarded as a new contract or by modification to an existing contract (identify contract number) and identify the type contract planned (e.g., firm-fixed-price, time and materials, labor hour, etc.)*

An individual J&A cannot be used to support more than one contract, irrespective of the quantities or the dollar value stated therein. If a proposed contract will contain unpriced options (including NTE prices), those options must be supported by a separate J&A prior to option exercise or the J&A supporting the basic contract must be a Class J&A. For Class J&A situations where the number of contracts in the class can be identified: (1) Provide brief general description of actions, (2) identify the document as a Class J&A, (3) identify the supplies and services that are being acquired, and (4) for each contract in the class identify the contractor; estimated value; type of contract and rationale for contract length; and estimated award date. Where the same information applies to more than one contract within the class, it need only be stated one time.

FAR13.5 Simplified Procedures for Certain Commercial Items: *This procurement is for (...) in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified*

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Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

J&As for Real Property Procurements, include the following information in accordance with Draft VA Handbook 7815 and GSAM Part 570:

- Amount and type of net usable square footage space currently under lease, if applicable or amount of space required;
- Existing lease number, if applicable;
- Existing lease expiration date or existing lease, if applicable or date for which new space is required;
- A brief description of the action (i.e. Only one acceptable location, succeeding lease, superseding lease, lease extension, lease expansion, lease alteration)

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** *Specifically describe the supplies and/or services to be acquired including the estimated value (including options) and quantity of each item, the total estimated value of the acquisition, and the estimated delivery dates/periods of performance. If there is a national authority, the document must be cited and either a web link included or a copy of the requiring document attached. Include the requirement delivery date or period of performance.*

J&As for Real Property Procurements, include the following information in accordance with Draft VA Handbook 7815 and GSAM Part 570:

- Statement of continuing need, if applicable;
- Amount of Net Usable Square Feet and type of space (medical facility);
- Required Lease Term (list both the required lease term and all options required);
- Lease value listed as the estimated annual un-serviced lease amount over the term (include the costs for all required options. Include estimated Tenant Improvement costs only if they will be amortized and state that they will be amortized);
- Information from advertisement, if required;
- The following paragraph is provided to satisfy the description of the agency needs:

[Enter information on the requesting VISN/VAMC] submitted a [enter information on the documentation submitted i.e.: Procurement Request Package, statement of continuing need letter or etc.] on [date] for [amount of space] NUSF/ABOA to yield [enter amount of rentable space] rentable square feet of [enter information on type of space i.e.: clinical, warehouse, office and/or related space]. To satisfy the [agency] mission requirements, the facility must be within a walkable distance of the [complete sentence, as appropriate].

This requirement is for [amount of space] NUSF/ABOA/[amount of space] RSF of space for a [years of agency lease term requirement]-year ten to commence on [date]. [The estimated annual cost of this lease is [dollar amount based on information quotes received in response to advertisement] BOMA rentable square feet per year for an annual cost of [dollar amount based on information quotes received in response to advertisement] and a total contract value of [dollar figure based on information quotes received in response to advertisement]. The delineated area is [identify specific delineated area]

Commented [DoVA1]: Exempt when posting to FBO.

4. Statutory Authority Permitting Other than Full and Open Competition: *41 USC §3304(a)(1), as implemented by FAR 6.302-1. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.*

- () (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;

FAR13.5 Simplified Procedures for Certain Commercial Items: *The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).*

J&As for Real Property Procurements, include the following information in accordance with the GSA Leasing Desk Guide:

41 U.S.C. 3304(a)(1): Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority): *Provide, in narrative form, a detailed explanation supporting and clearly relating to the conditions described by the FAR for using the particular authority cited. This section is normally the most detailed part of the justification as the essence of the justification is presented here. Keep in mind that this document is posted and that your judgment may be formally questioned and protested if your justification is insufficient or not valid.*

*Contracting without providing for full and open competition **shall not** be justified on the basis of lack of advance planning by the requiring activity or concerns related to the amount of funds available (e.g., funds will expire)(See [FAR 6.301\(c\)](#)). To assist you, the following information is provided:*

*a. **Only One Responsible Source (FAR 6.302-1)** – In the case of a **follow-on contract** for continued development or production of a major system or **highly specialized** equipment/services, the rationale must first justify the supplies/services as being a “**major system**” or “**highly specialized.**” The rationale must then justify “either” **substantial duplication of cost** to the government that is not expected to be recovered through competition, or **unacceptable delays** in fulfilling the agency's requirements, whichever situation applies. If both of these situations apply, the rationale can be based on either of these two situations, or both.*

*Note: Discuss the use of restrictive brand name descriptions in requirements documentation here under Part V. An acquisition that uses a **brand name description** or **other purchase description** to*

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specify a particular brand name, product, or feature of a product, peculiar to one manufacturer does not provide for full and open competition regardless of the number of sources solicited. If there is going to be a brand name used, you will need to justify it and clearly explain why a specific brand produced by a single company is required as opposed to allowing free and open competition. The justification should indicate that the use of such descriptions in the acquisition is essential to the Government's requirements, thereby precluding consideration of a product manufactured by another company.

(Brand-name or equal descriptions and other purchase descriptions that permit prospective contractors to offer products other than those specifically referenced by brand name, provide for full and open competition and do not require justifications and approvals to support their use.)

When using this exception, the contracting officer (CO) should include one of the following sentences, whichever is applicable: "Accordingly, XYZ Corporation is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition," or "Accordingly, XYZ Corporation is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing unacceptable delays in fulfilling its requirements," or "Accordingly, XYZ Corporation is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements."

b. Unusual and Compelling Urgency (FAR 6.302-2, 6.303-2(a)(9)(ii)) - COs shall contact SAO East as soon as practicable when contemplating an award under the authority cited in FAR 6.302-2 for J&As requiring HCA or DSPE approval. Provide an explanation why (1) the supplies or services are needed at once because of fire, flood, explosion, or other disaster, or (2) essential equipment or repairs to that equipment are needed at once, e.g., to preclude impairment of healthcare delivery capabilities or mission performance. In other words, identify the anticipated serious injury to the Government, the nature of the urgency, the reasons for it occurring and why it is "urgent and compelling" to preclude adverse impact to Veteran care. Merely citing adverse impact to Veteran care is not in and of itself sufficient reason to use this exception from the requirement to obtain full and open competition. Note that only the minimum quantity required to satisfy the unusual and compelling urgency qualifies for this exception; thus, this exception might not suffice to justify option quantities.

c. Industrial Mobilization; or Engineering, Developmental, or Research Capability (FAR 6.302-3) - The most important part of justifications citing this authority is demonstrating the need to maintain the capability possessed by the identified source(s). Some form of market survey may be critical in demonstrating the uniqueness of this capability.

d. Authorized or Required by Statute (FAR 6.302-5) - It is imperative to identify what is being acquired and the applicable statute authorizing other than full and open competition. Note: Some statutes do not require a written J&A.

e. National Security (FAR 6.302-6) - Provide the minimum essential information needed to establish validity of the justification. This information will make the J&A a classified document. Special

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handling procedures are required for processing such documentation to the approval authority. Only parties with a “need to know” and the proper level of security clearance should be permitted access to the documentation. Such acquisitions are also exempt from synopsis under [FAR 5.202\(a\)\(1\)](#).

f. Public Interest (FAR 6.302-7) - This authority may only be used when none of the other authorities is appropriate and may not be made on a class basis. Provide detail addressing the reasons full and open competition is not in the public interest and why no other authority is appropriate for use. **Approval to use this statutory exemption may only be made by a written determination by the Secretary of Veterans Affairs, and with Congressional notification not less than 30 days before award of the contract.**

J&As for Real Property Procurements, include the following information as applicable in accordance with the GSA Leasing Desk Guide:

[Enter information from GSAM 570.4 which allows for sole source negotiation, i.e.: 570.402/404/405 or etc. with the incumbent Lessor when a cost-benefit analysis shows that the Government cannot expect to recover relocation and duplication costs through competition.] VHA placed an advertisement conforming to [enter information pertaining to the appropriate section of GSAM, i.e. 570.106] on the Federal Business Opportunities Web site ([fedbizopps.gov](#)) on [date advertisement was posted] and received [number of expressions of interest received] responses. The expression of interest indicated that the rate would be amount is [dollar amount] NUSF/ABOA or [enter dollar amount] RSF. The interested party that provided the lowest cost quoted a rate of [dollar amount] in protected its expression of interest. Exemption (b)(4) The agency security Award to other than the current Lessor would require relocation of the entire requirement and would requirements are cause [Agency Name] to incur move and replication costs that would not be recovered through protected - competition. [Provide a brief summary of any special use space such as a Sensitive Compartmented Exemption (b)(7) Information Facility (SCIF), Heating , Ventilation , and Air Conditioning (HVAC) enhanced conference rooms with video teleconferencing capabilities, special security requirements, etc., that would all have to protected - be replicated if they were to move.] Exemption (b)(7) The agency name may be redacted if the agency is a law enforcement agency and so requests - Exemption (b)(7) [Insert Cost-Benefit Analysis] The cost of relocating [Agency Name] using the low cost quote exceeds the cost of remaining at [current PBS leased location]. The savings to the Government is [dollar amount]. Based on this cost-benefit analysis, the Government cannot expect to recover relocation and duplication costs through competition Therefore, the Government intends to negotiate a succeeding lease and remain at its current location.

Commented [DoVA2]: Exempt when posting to FBO after award.

Commented [DoVA3]: Exempt when posting to FBO after award.

Commented [DoVA4]: Exempt when posting to FBO after award.

- 6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Describe all efforts taken (or to be taken) to ensure that offers are solicited from as many potential sources as practicable under the circumstances. The following issues should be addressed in this paragraph:

Sources Sought Synopsis: If a sources sought synopsis was issued, state the date the synopsis was issued, the synopsis number, and a brief description of its content. If any responses were received, describe in detail the results of the screening process and the rationale for determining the unacceptability of any synopsis respondents. This is particularly important when citing the authority of [10 USC 2304\(c\)\(1\)](#), “Only one (or a limited number of) responsible source(s)”, since it is this survey of the market place that confirms our assumptions regarding the capability of industry to meet our

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needs. (See FAR 6.303-2(b)(6)). If the proposed action was not or will not be synopsised, cite the specific authority for not doing so (per FAR 5.202) and the rationale for the synopsis exception. Note that although synopsis of proposed contract actions initiated pursuant to FAR 6.302-2 may not be required, use of this authority is not an automatic exemption from synopsis. (See FAR 5.202(a)(2)).

Other Actions: In this paragraph, discuss any other actions taken or planned to facilitate competition for this acquisition. The discussion should include actions tried or considered even if the actions were unsuccessful. If the efforts were unsuccessful, so state and describe why.

J&As for Real Property Procurements, include the following information in accordance with Draft VA Handbook 7815 and GSAM Part 570:

- Information on the Market Survey conducted (Market Research) and available properties in the market if acceptable, such as:
 - Name of Building Owner
 - Address or location of property
- Discuss any information from an advertisement or Sources Sought Notice on the Federal Business Opportunities website (www.FBO.gov), if required in accordance with Draft VA Handbook 7815, GSAM 570 or FAR and any responses received.
- In accordance with the GSA Leasing Desk Guide, the following is provided as an example:

On [enter date of market survey], [national broker contractor company name or the CO] conducted a market survey and identified four potentially acceptable locations [enter number of properties viewed] that might meet the agency's needs within the delineated area . [Provide a brief summary of the potentially acceptable locations and their ability to meet the Government's requirements.] In addition, an advertisement was placed in FedBizOpps on [date of advertisement]. The CO received only [number of expressions of interest received] responses, which are:

Name of Offeror	Name and Address of Building

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** *Include a statement by the CO that the anticipated cost will be considered fair and reasonable and provide the basis for this determination. The steps that will be taken to ensure the final contract price will be fair and reasonable are also described here. Describe the extent of cost or price analysis anticipated including the requirements for certified cost or pricing data, technical evaluations, and audits (FAR 6.303-2(b)(7)).*

J&As for Real Property Procurements, this information may include information provided by historical data, such as previously awarded leases, existing leases, competition and real estate appraisals. *The following information is provided as an example of information to satisfy the determination that the anticipated costs to the Government will be fair and reasonable:*

In accordance with Federal Acquisition Regulation (FAR) 6.303-2(b)(7), the CO determines by certifying this document that the anticipated cost to the Government of [dollar figure] NUSF/ABOA to yield [enter dollar figure] RSF for the entire requirement is fair and reasonable. Recent market surveys conducted by [national broker contractor name or the CO] in {city} , [state] showed the rental

Commented [DoVA5]: Exempt when posting to FBO afterward.

rate within the delineated area ranges from [identify rental rate ranges quoted during market survey] per NUSF/ABOA or [enter dollar figure] RSF.

- 8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** *Describe results of market research conducted pursuant to [FAR Part 10](#), [the Class Deviation – Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision \(Class Deviation – Veterans First Contracting Program \(VFCP 2016\)](#), [VHAPM Part 810.001](#), and [PPM 2016-05](#). Per PPM 2016-05, Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision: §8127 is mandatory, not discretionary and its text requires the Department to apply the Rule of Two to all contracting determinations. In order to meet the VA Rule of Two, COs shall review the [Vendor Information Pages \(VIP\)](#) database in accordance with VAAR Class Deviation 810.001-70 to determine if two or more service-disabled veteran-owned businesses (SDVOSBs) and veteran-owned small businesses (VOSBs), in the appropriate NAICS code, are listed as verified in the VIP database. Further, VAAR 810.002 requires COs to record VIP queries in the solicitation file by printing the result of the search(s) along with the specific query used to generate the search(s). COs may use the non-competitive (sole source) procedures authorized in VAAR 819.7007 or 819.7008 up to \$5,000,000, as appropriate, subject to review and approval of the designated procurement official outlined in FAR 6.304 ([See VHAPM Part 819.7007-7008](#) for additional details).*

When citing the authority of [FAR 6.302-1](#), only one (or a limited number of) responsible source(s), use the following sentence: "As described in Section 6 above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties."

When other exceptions from the requirement to obtain full-and-open competition are relied upon, the market research might be limited to an examination of the acquisition history and experience with the marketplace under previous acquisitions for the same or similar items. In all instances a current check of VIP shall be performed.

J&As for Real Property Procurements, include the following information in accordance with Draft VA Handbook 7815 and GSAM Part 570:

- Discuss any information received from an advertisement or Sources Sought Notice on the Federal Business Opportunities website (www.FBO.gov), if required in accordance with Draft VA Handbook 7815, GSAM 570 or FAR and any responses received.*
- The information on the market survey results from paragraph 6 can be used to in paragraph 8, or provide a statement for why a market survey was not conducted in accordance with GSAM 570.*

- 9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** *Provide any other facts supporting the use of other than full and open competition, including an explanation of why specifications, engineering descriptions, statements of work, statements of objectives, or purchase descriptions suitable for full and open competition have not been developed, are not being developed, are not being used, or are not available. (see [FAR 6.302-1\(b\)\(2\)](#) and [6.303-2\(b\)\(9\)\(i\)](#)).*
- 10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** *Provide list of sources that expressed interest in the Acquisition.*

J&As for Real Property Procurements, include the following information in accordance with Draft VA Handbook 7815 and GSAM Part 570:

- Discuss any information received from an advertisement or Sources Sought Notice on the Federal Business Opportunities website (www.FBO.gov), if required in accordance with Draft VA Handbook 7815, GSAM 570 or FAR and any responses received.

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:

*Describe any actions taken or to be taken to foster competition for **future** acquisitions of the supplies or services being acquired. Describe potential actions that could be undertaken to remove the barriers to competition that have been identified in the justification and include a milestone schedule for accomplishing these actions. For example, if a follow-on competitive acquisition is planned, so state and give planned award date.*

If no actions are planned, so state and provide reasons. If approval is sought for more than one year, explain why a sole source effort is required for the planned time duration.

J&As for Real Property Procurements, include information in accordance with Draft VA Handbook 7815 and GSAM Part 570 that were used to overcome barriers to competition. This may include any Exchanges with the Industry before receipt of proposals in accordance with FAR 15.201(c) such as Industry Days and etc.

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.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

Name
Title
Facility

Date

13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP: This part if filled out by Contracting Staff as part of the Justification

- 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.

Name
Title
Facility

Date

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- b. **One Level Above the Contracting Officer (Required over SAT but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

Name
NCO/PCO XX Duty Title
Facility

Date

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

Name
VHA Head of Contracting Activity (HCA)

Date

- d. **VHA Senior Procurement Executive Approval (over \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date

DEPARTMENT OF VETERANS AFFAIRS

**Justification for Single Source Awards IAW [FAR 13.106-1](#)
For
Over Micro-Purchase Threshold but Not Exceeding the SAT (\$250K)**

Acquisition Plan Action ID: _____

- 1. Contracting Activity:** Department of Veterans Affairs, VISN XX, *XXXX* Medical Center
Fully identify the contracting agency and organizational activity responsible for the proposed contracting action. Identify purchase request (i.e. 2237) number, if applicable.
- 2. Brief Description of Supplies/ Services required and the intended use/Estimated Amount:**
- 3. Unique characteristics that limit availability to only one source, with the reason no other supplies or services can be used:**
- 4. Description of market research conducted and results or statement why it was not conducted:**
- 5. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*
Note: COs are required to make a determination of price reasonableness IAW FAR 13.106-3. See the [S19 Open Market \(FAR13\) Award Documentation Form with Abstract](#) to document price reasonableness.

Name
Title

Date

LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: _____

1. Contracting Activity: Department of Veterans Affairs, VISN XX, *XXXX* Medical Center
Fully identify the contracting agency and organizational activity responsible for the proposed contracting action. Identify purchase request (i.e. 2237) number, if applicable.

2. Description of Action: This acquisition is conducted under the authority of the Multiple-Award Schedule Program ([41 U.S.C. 251](#) and [40 U.S.C. 501](#)). *Describe the action being reviewed and approved and state whether the action will be awarded as New Requirement Follow-on Order Mod to Existing Order Number (insert task/deliver order number)*

Order against: FSS Contract Number: _____

Name of Proposed Contractor:

Street Address:

City, State, Zip:

Phone:

<For each proposed contractor if more than one (e.g. brand name):>

Name of Proposed Contractor:

Street Address:

City, State, Zip:

Phone:

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ *Insert dollar value, including options, if any*

In layman's terms, briefly describe the supplies or services to be provided, including make & model number where appropriate. Indicate whether the item to be procured is peculiar to one manufacturer (e.g., a particular brand name, product, or a feature of a product, peculiar to one manufacturer). If applicable, include quantities of supplies or period of performance for services. Provide information for any options included in the order. If the action is a

modification to an existing order, distinguish clearly between the work covered by the basic order and the work to be obtained by the proposed modification.

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see 8.405-6(a)(1)(i)(A), (B), and (C) or 8.405-6(b)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

- An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.
- Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; *Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.*
- In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.
- Items peculiar to one manufacturer:
 - A patent, copyright or proprietary data limits competition. The proprietary data is: (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)
 - These are "direct replacements" parts/components for existing equipment.
 - The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

_____ SIGNATURE	_____ DATE	
_____ NAME	_____ TITLE	_____ SERVICE LINE/SECTION
_____ FACILITY		

(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM Part 806.3 OFOC SOP](#): *This part is filled out by Contracting Staff as part of the Justification*

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

_____ CONTRACTING OFFICER/DESIGNEE'S SIGNATURE	_____ DATE
_____ NAME AND TITLE	_____ FACILITY

b. One Level Above the Contracting Officer (Required over the SAT but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

SIGNATURE

DATE

NAME

NCO/PCO XX Duty Title

HIGHER LEVEL APPROVAL (Required for orders over \$700,000):

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$68 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

NAME

VHA Head of Contracting Activity (HCA)

DATE

d. VHA Senior Procurement Executive Approval (over \$68 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

JAN R. FRYE

Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)

DATE

DEPARTMENT OF VETERANS AFFAIRS

**FAR 8 – Justification for Limiting Sources (LSJ)
For
Limiting Sources (<SAT)**

Acquisition Plan Action ID: _____

- 1. Contracting Activity:** Department of Veterans Affairs, VISN XX, *XXXX* Medical Center
Fully identify the contracting agency and organizational activity responsible for the proposed contracting action. Identify purchase request (i.e. 2237) number, if applicable.
- 2. Description of Action:** *Describe the action being reviewed and approved and state whether the action will be awarded as New Requirement Follow-on Order Mod to Existing Order Number (insert task/deliver order number)*

Order against: FSS Contract Number: _____

Name of Proposed Contractor:
Street Address:
City, State, Zip:
Phone:

<For each proposed contractor if more than one (e.g. brand name):>

Name of Proposed Contractor:
Street Address:
City, State, Zip:
Phone:

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ Insert dollar value, including options, if any

In layman's terms, briefly describe the supplies or services to be provided, including make & model number where appropriate. Indicate whether the item to be procured is peculiar to one manufacturer (e.g., a particular brand name, product, or a feature of a product, peculiar to one manufacturer). If applicable, include quantities of supplies or period of performance for services. Provide information for any options included in the order. If the action is a modification to an existing order, distinguish clearly between the work covered by the basic order and the work to be obtained by the proposed modification.

4. Authority:

ORDER AGAINST FSS: Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

An urgent and compelling need exists, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));

Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#));

In the interest of economy and efficiency, the new work is **a logical follow-on** to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order was not previously issued under sole-source or limited-sources procedures** ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#)); or

Items peculiar to one manufacturer. An item peculiar to one manufacturer can be a particular brand name, product, or a feature of a product, peculiar to one manufacturer). A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer ([FAR 8.405-6\(b\)](#)).

5. Rational/explanation to support cited authority: *[Discuss how the cited authority applies and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service. If pursuing an exception pursuant to [FAR 8.405-6\(b\)](#), describe in detail why a particular brand name, product, or a feature of a product, peculiar to one manufacturer must be used. Also, describe in detail the existence of other than the "Name Brand" product and discuss why they cannot be used.*

6. BRAND NAME ONLY (*Delete this section if it does not apply*): This buy is estimated to exceed \$25,000 and this documentation will be posted along with the RFQ on e-Buy, as required by [FAR 8.405-1\(e\)](#).

VHAPM Part 808.405-6 Limiting Sources

Attachment 1: Justification for Limiting Sources for Micro-Purchase Threshold up to the SAT

7. Note that this determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.

JOHN M. DOE

Contract Specialist

Date: _____

JANE C. DOE

Contracting Officer/Designee

Date: _____