

Attachment 1: Request for SDVOSB/VOSB Sole Source Justification Format

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition**

Acquisition Plan Action ID: 36C241-18-AP-1605

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 1, Togus, ME. 2237 # 631-18-4-4808-0796.
2. **Nature and/or Description of the Action Being Processed:** This request is for a new, noncompetitive, firm fixed price, commercial item contract with Jackson Ryan Construction Services, Inc. to provide demolition services for four buildings at the VAMC CWM due to safety hazards.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The VA Central Western Mass requires demolition of Buildings 40, 41, 52, and T12 to return this area to green space as it is within the wetland buffer. The four buildings are deteriorating and are a safety hazard to the veterans, employees and to the environment. Due to the safety hazard, performance will begin immediately. The total estimated amount is \$109,450.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §3304(a)(5), 38 U.S. Code § 8127, as implemented by FAR 6.302-5 (Authorized or Required by Statute). COs may use the non-competitive (sole source) procedures authorized in VAAR 819.7007 or 819.7008 up to \$5,000,000. Check the specific VAAR clause used below:
(X) 819.7007 Sole source awards to a verified service-disabled veteran-owned small business;
or
() 819.7008 Sole source awards to a verified veteran-owned small business
5. **Demonstration that the Contractor's Unique Qualifications and/or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** In accordance with VAAR 819-.7007 (b), the contracting officer's determination to make a sole source award is a business decision wholly within the discretion of the contracting officer. Jackson Ryan Construction has been determined to be a responsible source with respect to performance. The firm has successfully performed multiple projects for the VAMC CWM. Jackson Ryan Construction is a small business under NAICS 238910, SBA size standard of \$15M and is a verified Service Disabled Veteran Owned Small Business as confirmed on the Center for Veterans Enterprise Vendor Information Pages (VIP) database at <http://www.vetbiz.gov>.

It is in the best interest of the Government to award to Jackson Ryan Construction due to the urgency of the requirement because of the safety hazard. The firm is currently performing on site, they have previously worked on all four buildings, abating all the asbestos and are familiar with the lead paint and environmental requirements of Massachusetts.

VHAPM Part 819.7007/7008 Sole Source Awards to a Verified Service-Disabled Veteran-owned Small Business/Veteran-owned Small Business

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6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** In accordance with FAR 819.7007, a determination that only one SDVOSB can meet the requirement is not required. Market research indicates that there are other firms that can provide these services; however, due to the safety hazard of the deteriorating building, utilizing Jackson Ryan Construction is in the best interest of the Government because they are already mobilized on the VAMC CWM campus and are able to respond quickly. They are also familiar with the condition of the site due to previous abatement work on the buildings.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** Pricing will be determined fair and reasonable based on market pricing and the Independent Government Cost Estimate.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research indicates that there are other firms that can perform this work; however, due to the hazards of the deteriorating buildings and the safety concerns to the VA patients and employees, awarding a sole source contract to Jackson Ryan Construction, a SDVOSB, who is currently mobilized on site is in the best interest of the Government. The firm can begin the demolition of the safety hazard immediately. They have previously abated the building and are therefore are aware of the hazardous materials on site. The firm is familiar with the lead paint and environmental requirements of Massachusetts.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
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:** None, this is a one-time service.
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.

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Date: 2018.09.17
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Josee Goldin
Supervisor, Projects Section / General Engineer
VAMC CWM

Date

Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP:](#)

VHAPM Part 819.7007/7008 Sole Source Awards to a Verified Service-Disabled Veteran-owned Small
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13.

- 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.

Tammy Davis
Contracting Officer
NCO 1

Date