



Department of
Veterans Affairs

Memorandum

“Justification for other than full and open competition.”

(1) Identification of the agency and the contracting activity,

National Cemetery Administration, Ohio Western Reserve National Cemetery

(2) Nature and/or description of the action being approved.

Sole source award of fuel supply to Lykins Oil Company during a GAO protest

(3) A description of the supplies or services required to meet the agency’s needs (including the estimated value).

Ethanol Free Recreation Gasoline & High Octane Premium Off-road Diesel to Fort Custer National Cemetery located at 15501 Dickman Road, Augusta, MI 49012. Fuel delivery will be ordered on an ‘on-call’ basis and deliveries shall be within **48 hours** of placing order with the contractor. The storage tank for the Diesel fuel has 2,000-gallon capacity. The storage tank for the Ethanol free gas is 2,000 gallons. Both are maintained at 1,900 gallons to allow for expansion.

(4) An identification of the statutory authority permitting other than full and open competition.

Unusual and Compelling Urgency per FAR 6.302-2;

(5) A demonstration that the proposed contractor’s unique qualifications or the nature of the acquisition requires use of the authority cited.

This was solicited to all small business, only 3 quoted, only 1 was local and an actual fuel distributor. There is no other choice than this same vendor.

(6) A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by [Subpart 5.2](#) and, if not, which exception under [5.202](#) applies.

This was solicited to all Small Business on FBO for 3 weeks.

(7) A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The RFQ garnered 3 quotes cost plus fixed fee, the awardee was the lowest and was below the IGCE.

(8) A description of the market research conducted (see Part 10) and the results or a statement of the reason market research was not conducted.

See following pages for Market Research Report.

(9) Any other facts supporting the use of other than full and open competition, such as:

(i) Explanation of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available.

(ii) When [6.302-1](#) is cited for follow-on acquisitions as described in [6.302-1\(a\)\(2\)\(ii\)](#), an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

(iii) When [6.302-2](#) is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

(10) A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.

N/A.

(11) A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

The only reason for this Sole Source Purchase Order is to allow the cemetery to have fuel for continuing operations during the time it takes to resolve the GAO protest.

(12) Contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

Signed:

Contracting Officer, Date