

DEPARTMENT OF VETERANS AFFAIRS
Office of Procurement, Acquisition and Logistics (OPAL)
Strategic Acquisition Center (SAC)
5202 Presidents Court, Ste 103
Frederick, MD 21703

Justification and Approval for Other than Full and Open Competition
6.302-5 -- Authorized or required by statute

1. Identification of the agency and the contracting activity.

This Justification and Approval (J&A) for Other Than Full and Open Competition is executed by the Strategic Acquisition Center (SAC), on behalf of the Department of Veterans Affairs (VA), Board of Veterans' Appeals (BVA) located at 425 Eye Street NW Washington, DC 20001.

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

This activity proposes to negotiate a non-competitive Blanket Purchase Agreement (BPA), a sole-source award with GovSolutions Inc., a Service-Disabled Veteran-Owned Small Business (SDVOSB) for the procurement of Office Furniture.

The estimated value for this acquisition is \$675,000.00 and the period of performance shall be between August 28, 2019 and August 27, 2020 with four, 12-month Option Years.

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

This BPA is to provide Board of Veterans' Appeals Office Furniture to include delivery.

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

The statutory authority permitting other than full and open competition is 41 U.S.C. § 253(c)(5) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302- 5 entitled, "Authorized or required by statute". The applicable statute is Public Law 109- 461: "Veterans Benefits, Health Care, and Information Technology Act of 2006" specifically, the "Veterans First Contracting Program" outlined in 38 USC § 8127(c).

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

GovSolutions is a VIP registered and verified SDVOSB, an authorized distributor of HON furniture. GovSolutions recently successfully performed a similar requirement for the Department of Veterans Affairs (VA), Strategic Acquisition Center- Frederick (SAC-F).

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.

IAW VAAR § 819.7007 Sole source awards to service-disabled veteran-owned small business concerns (b), the contracting officer has determined to make a sole source award to one SDVOSB concern. A notice will be publicized as required by Subpart 5.2.

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7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

No award shall be made until the Contracting Officer determines the cost to the Government to be fair and reasonable. This determination will be based on a comparison of current contract pricing, past proposal submissions (if available), other information made available, and an Independent Government Cost Estimate.

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.

Market research was conducted and GovSolutions has been determined to be a responsible source with respect to performance. They are registered and certified in VetBiz.gov as a SDVOSB with the NAICS code for this requirement which in accordance with Public Law 109-461 Section 502(c) meets the requirements of this statute to sole source to a SDVOSB. In addition, a review of their Representations and Certifications was conducted in the System for Award Management (SAM) and GovSolutions represented that they are a SDVOSB.

In addition, the Federal Awardee Performance and Integrity Information System (FAPIS) was reviewed and FAPIS shows no reports for GovSolutions that would indicate defective pricing, instances of contractor fault or recipient not-qualified, terminations for cause, default or material failure to comply, or non-responsibility of the contractor.

9. Any other facts supporting the use of other than full and open competition.

In accordance with Public Law 109-461, codified at 38 USC § 8127, in order to increase contracting opportunities for small business concerns owned and controlled by veterans and small business concerns owned and controlled by veterans with service-connected disabilities, contracting officers of the VA are given specific statutory authority to award a contract to a small business concern owned and controlled by veterans using procedures other than competitive procedures (i.e. a "sole source" contract). The contracting officer may do so if:

(1) such concern is determined to be a responsible source with respect to performance of such contract opportunity;

(2) the anticipated award price of the contract (including options) will exceed the simplified acquisition threshold (as defined in section 134 of title 41) but will not exceed \$5,000,000; and

(3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

This procurement meets all of these conditions.

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

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GOVSOLUTIONS, INC.
108 S BIRDNECK ROAD
VIRGINIA BEACH, VA 23451-5863

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. All future requirements will be handled on a case-by-case basis. Toward the expiration of this contract, consideration will be given as to whether the future acquisition should be competitive.

12. Certifications / Signatures.

Pursuant to (FAR 6.303-2(a)(12)), I certify that this justification is accurate and complete to the best of my knowledge and belief.

Kevin Armillotti
Contracting Officer
Strategic Acquisition Center (SAC)

Date