

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)

Acquisition Plan Action ID: _36C263-19-AP-4797_____

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 23 (NCO 23), 4801 Veterans Drive St. Cloud, MN 56303. Organization Activity: Nebraska Western Iowa VA VA Health Care System (NWI), 4101 Woolworth Ave Omaha, NE 68105, 636-20-1-021-0002.
2. **Nature and/or Description of the Action Being Processed:**
This procurement is for a bridge 12-month sole source firm fixed price purchase order for NWI-Omaha, Grand Island, and Lincoln Dental lab prosthodontics 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 Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
This procurement is for a bridge 12-month sole source firm fixed price purchase order for the Nebraska Western Iowa VA's Dental Labs for fixed and removable prosthodontics from Burbank Dental Laboratory. The fixed and removable prosthodontics are utilized for veteran dental care at the Omaha, Lincoln and Grand Island VA Health Care Systems.

Period of Performance: 10/1/2019 – 9/30/2020

IGCE: XXXXXXXXXX

4. **Statutory Authority Permitting Other than Full and Open Competition:**
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).

 (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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**
This sole source bridge acquisition is to continue dental service and supplies of fixed and removable prosthodontics for the NWI-Omaha, Grand Island, and Lincoln VA facilities provided by Burbank Dental Labs under contract 36C26319P0006 which expires on 9/30/2019. This purchase order will provide an extension that consists of a 12-month period of performance and will prevent an adverse

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impact on the mission of the agency, which would occur with the interruption of the work presently performed. At this time, NWI is in the process of moving their existing lab into a new location that will increase the size approximately threefold. With the addition of new, state of the art equipment and additional personnel, they anticipate their outside or commercial lab costs to plummet greatly. They plan on becoming a Certified Dental Lab, with Grand Island, Lincoln and other dental clinics in the VISN sending most of their out-sourced case load to Omaha to be processed there. However, they are still in the process of looking for another lab technician and their new lab is not quite ready for move in. Based on these delays a bridge contract is necessary until the new lab is up and running and they can determine what if any items will need to be procured through Contracting.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

For reasons stated in paragraph 5, this is a purchase order to provide a continuation of service to prevent adverse impact on the mission of the agency, which would occur with the interruption of the work presently performed. A new long term contract will be competitively solicited through www.fbo.gov with a base plus 4 option years once NWI determines their need based on their expanded lab capabilities.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:

The prices are considered fair and reasonable as they will be consistent with the current contract and have not increased since VA263-16-D-0087 was awarded on 6/6/2016 through competition.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

VetBiz was searched under NAICS code 339116 which returned 39 results. No other market research was conducted as this is a 1-year bridge contract until the new long-term contract is awarded.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: NA

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Burbank Dental Laboratory Inc., 2101 Floyd Street, Burbank CA 91504.

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:

A new long term contract will be competitively solicited through www.FBO.gov with a base plus 4 option years once NWI determines their need based on their expanded lab capabilities.

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.


Sally Hanson
Clinic Manager, CDA, EFDA
NWI VA Health Care System

9-17-2019
Date

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13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:

- 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.

[Redacted Signature]

Eric Zintek
Contracting Officer – NCO 23 STC

9/17/2019

Date

- 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.

[Redacted Signature]

Jameson Schwartz
Branch Chief – NCO 23 STC

Date