

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36C248-19-AP-4345

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, Malcom Randall VA Medical Center, Regional Procurement Office-8, NFSG, 573-20-1-3177-0001
2. **Nature and/or Description of the Action Being Processed:** Collection and disposal of municipal solid waste for the Lake City VA Medical Center (LCVAMC). This request is for a new firm fixed priced IDIQ contract one (1) base year plus four (4) optional periods. Waste collection quantities are estimated and contingent upon the amount of weight being collected per pick up. Pick ups are estimated at twice per week with pickups available upon request of the Government.
 - a.) One (1) Forty (40) cubic yd. compactor (located by back dock)
 - b.) Two (2) Twenty (20) cubic yd. open top containers Construction Dumpster (located by back dock and in driveway where needed)

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for municipal solid waste 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:** Collection and disposal of municipal solid waste for the LCVAMC. The Price/Cost Schedule will reflect an estimated monthly unit cost of \$6,250.00, total estimated annual cost of \$75,000.00, and total estimated value for the full contract of \$375,000.00. The total estimated tonnage picked up per month are 40 tons for municipal solid waste and 5 tons for construction/demolition.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (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).

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** There is a reasonable basis to conclude that the agency's minimum needs can only be satisfied by unique services available from only one source, WASTE PRO OF FLORIDA, INC.. Columbia County Government has only authorized one company to perform municipal solid waste collection services within the county limits. A resolution by the board of commissioners of Columbia County authorized the county to enter into a contract with Waste Pro of Florida, Inc. granting **EXCLUSIVE** rights to collect and dispose of municipal solid waste from residences and commercial business and to provide other services related thereto.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** See #5. The local Government requires that only Waste Pro perform within the county limits.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** There is previous historical pricing related to this procurement. Pricing is not going up from the previous contract see VA248-17- P- 3135. The county also sets the limits with pricing per their agreement with the contractor as seen with Utility type contracts.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research is limited to an examination of the acquisition history and experience with the marketplace under previous acquisitions for the same or similar items. A current check of VIP has been performed however see #5.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Not applicable.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Waste Pro of Florida, Inc. which is the only firm authorized to do business with the Government within Columbia County.
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:** Until the marketplace becomes more saturated with other companies allowed to do business within Columbia County this type of procurement will remain a sole source.
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.