

## DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36H79719R0001

1. **Contracting Activity:** Department of Veterans Affairs, OPAL / National Acquisition Center (NAC), Building 37, 1<sup>st</sup> Avenue, One Block North of Cermak, located in Hines, IL 60141.
2. **Nature and/or Description of the Action Being Processed:** The sole source request is for a firm fixed price contract with Purchinex established at the St. Albans, NY Laundry facility to install a new Industrial Laundry Plant Management System to coincide and be compatible with all laundry equipment currently installed.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The St. Albans, NY Department of Veterans Affairs Medical Center Laundry Facility is in need of (1) one new Industrial Laundry Plant Management System.

The period of performance will be a total of 230 days, 120 days for the delivery of the equipment and 110 days for installation.

4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §3304(a)(1), as implemented by FAR 6.302-1. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.*

- (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):**

- a. **Only One Responsible Source (FAR 6.302-1)** – The St. Albans, NY Department of Veterans Affairs Medical Center Laundry Facility originally required one (1) Industrial Laundry Plant Management System. This would have been a single procurement. The original solicitation stated that the System offered shall be connected to and be compatible with the existing Softrol energy monitoring system currently in use at the laundry facility. As such, the offeror needed to provide permission to manipulate the existing equipment from the current manufacturers. Milnor, Chicago Dryer Company, Erergenics Corporation and Colmac Industries have submitted signed statements that the only company granted permission to manipulate their equipment is Purchinex working in coordination with Western State Design. Any other company performing work on existing equipment would void the equipment warranty.

All Technical Performance Specifications can be met by Purchinex. They have submitted a proposal for the new equipment requirement and have been found technically acceptable and reasonably priced.

- b. **Unusual and Compelling Urgency (FAR 6.302-2, 6.303-2(a)(9)(ii))** – N/A
- c. **Industrial Mobilization; or Engineering, Developmental, or Research Capability (FAR 6.302-3)** – N/A
- d. **Authorized or Required by Statute (FAR 6.302-5)** – N/A
- e. **National Security (FAR 6.302-6)** – N/A
- f. **Public Interest (FAR 6.302-7)** – N/A

6.

**Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market Research was conducted for the original requirement of the Industrial Laundry Plant. Market Research was conducted for this requirement to locate potential firms under applicable NAICS Code 333318. The research was accomplished by querying the VetBiz (VIP), SAM, Small Business Administration (SBA) websites, and past procurement data.

- Market research from VIP indicates that there are 75-SDVOSB/VOSB vendors with the NAICS code 333318, "Other Commercial and Service Industry Machinery Manufacturing". The Dynamic Small Business Search indicates that there are 41-8a certified, 70-HUB zone certified, 450-Veteran owned, 26-SDBs, 240-service-disabled and 450-woman or women owned businesses with NAICS code 333318. SAM indicates 440-small business records with NAICS code 333318.
- In order to identify potential SDVOSB/VOSBs who could provide and install the equipment requested, a Sources Sought Notice was posted to Federal Business Opportunity (FBO) on October 16, 2018. Two responses were received.
- Two responses were received from the Sources Sought Notice. One response was from ICS and the other was from Purchinex. Both companies provided the Letter of Intent to validate their capabilities to manufacture and install the requested equipment. The results of the market research discovered that two SDVOSBs were identified as viable sources interested and capable vendors for this procurement. This procurement was set-aside as 100% SDVOSB set-aside and awarded in accordance with FAR Part 12, 15 and 19 procedures.

For the original proposal, two proposals were received. One was from Purchinex. The other was from Integrated Control Systems (ICS). Both Purchinex and ICS were found Technically Acceptable. The proposal by Purchinex was selected and award for the Industrial Laundry Plant Management System was made to Purchinex.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** We have sufficient acquisition history on the procurement of the equipment required. G. A. Braun has submitted reasonable pricing on these items in the past. Therefore, fair and reasonable pricing is anticipated for this procurement as well. Please see acquisition history below:

ACQUISITION HISTORY:

-36H79719C0014 – Industrial Laundry Plant Management System was awarded to Purchinex on July 19, 2019 for Bay Pines, FL.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** For this procurement, no market research was conducted. Market research was conducted on the first requirement. That market research was the determining factor for this sole source requirement. Since permission is now required to manipulate existing equipment, no additional market research was required.

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

Since Purchinex was the only company to obtain permission from the equipment manufacturers, we were required to do a sole source award for the remaining equipment item as to not void the existing equipment warranties.

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

*Purchinex, LLC*

**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: N/A**

**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.

*Christina Wilson*  
*CONTRACTING OFFICER*

Name  
Title

*10/30/19*  
Date