

LIMITED SOURCES JUSTIFICATION
ORDER >SAT
FAR PART 8.405-6

Acquisition Plan/Action ID/2237#: 36C10E-20-AP-0067

Restricted to the following source: Manufacturer | Steelcase Inc. (GS-27F-0014V); Distributor | Pomerantz Acquisition Corp. (GS-28F-0028S)

Manufacturer/Contractor: Pomerantz Acquisition Corp. (SDVOSB)
Manufacturer/Contractor POC & phone number: Gary Maddox, CEO, 800-344-9135
Manufacturer/Contractor Address: 123 S. Broad St. Ste 1260, Philadelphia, PA 19109-1044
Dealer/Rep address/phone number: Same as stated

(1) AGENCY AND CONTRACTING ACTIVITY: Veterans Benefits Administration (VBA), Office of Administration and Facilities (OA&F), Acquisition Division.

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED: Approval is sought for award of a GSA Delivery Order from a Service-Disabled Veteran Owned Small Business (SDVOSB) who is a dealer for the manufacturer of Steelcase systems furniture and able to service and reconfigure Steelcase brand products.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED: The VBA Regional Office in Buffalo, NY has an urgent requirement to reconfigure existing systems furniture and purchase additional matching furniture to increase the seating capacity for the Education Regional Processing Office in support of the Harry W. Colmery Veterans Education Assistance Act, also known as the "Forever GI Bill. Steelcase is the manufacturer of all current systems furniture located throughout the Buffalo Regional Office. In addition to a requirement to match and modify existing furniture, because of the unique nature of this requirement's power and data configuration, spring loaded, or pneumatic sit-stand desks are necessary. The only manufacturer known to produce a non-electrical, spring loaded sit-stand desk is Steelcase.

(b) ESTIMATED DOLLAR VALUE: ██████████

(c) REQUIRED DELIVERY DATE: November 15, 2019

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND PROVIDE NARRATIVE.)

Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Pomerantz Acquisitions Corp. is the sole SDVOSB on GSA Schedule who is a Steelcase distributor capable of reconfiguring the existing Steelcase products on site with ability to match and order additional systems furniture for the reconfigured space.

A patent, copyright or proprietary data limits competition. The proprietary data is: *(redaction of proprietary data is required before posting. It may be more beneficial to mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)*

These are “direct replacements” parts/components for existing equipment. Modification required to be made to the existing Steelcase systems furniture must be direct replacements to ensure precise coupling with the new Steelcase product.

The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Reconfiguration of the current Steelcase systems furniture will share panels and use the existing spines for interface and compatibility with the newly purchased Steelcase furniture.

The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures. **Follow-on procedures are not intended for a long-term action but rather provide an opportunity to maintain services while a competitive action is sought.**

An urgent and compelling need exists and following the ordering procedures would result in unacceptable delays. VBAs Education Regional Processing Office was established to support the Harry W. Colmery Veterans Education Assistance Act. VBA has hired 200+ new employees to onboard between November 15 and December 1, 2019, creating an urgent and compelling situation for the purchase of systems office furniture to be in place for the arrival of new employees. Communication with the manufacturer of the furniture required necessitates an immediate need to establish an order so that a production run of the prescribed products can be available to meet the timelines established by VBA senior leadership. VAAR Part 806.302-5-70 provides for the noncompetitive procedures for awarding a contract above the Simplified Acquisition Threshold, but not exceeding \$5 million. This procurement meets the statutory requirements of this VAAR Part.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION: 305 VA owned Steelcase workstations exist in the current space. Because of the reconfiguration under this requirement, over 75% of the parts will be reused in adjusting the cubicle sizes from 8’X8’ to 6’X6’. The equipment is within its useful life and in great condition. Additionally, providing for the same color schemes, matching items and uniformity of systems furniture within the extended space at the Buffalo Regional Office can only be accomplished using a distributor of Steelcase products. Further, the requirement for a non-electrical sit-stand desk, which is offered through Steelcase, adds to the logic for procuring this requirement using a distributor aligned and certified by Steelcase, Inc. It is not considered to be in the Government’s best interest to order systems furniture from a new manufacturer. To do so would mean the furniture would not be compatible with the existing configuration, the existing furniture would require to be excessed at a cost to the Government, the cost to replace the existing furniture to match the new furniture would be excessive, and it would leave the Government in the same position with new furniture – an inflexibility to utilize the most advantageous means to reconfigure future office space and provide for furniture continuity through the Buffalo Regional Office.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED: Market research revealed that replacement and/or reconfiguration of Steelcase products is limited to Steelcase distributors. There is a sole Steelcase distributor on GSA Schedule who is a SDVOSB and CVE Certified - Pomerantz Acquisition Corp., which has done successful projects with the VA.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION: This is a very high, visible priority project at VA. 200+ employees are being hired to accomplish this mission in support of the nations Veteran population and senior leadership is expecting the hire and on-boarding of new employees to begin in November 2019.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE: The only possible adjustment that can be made in limiting sources from this type of procurement would be to encourage more SDVOSBs to obtain dealer certification from system furniture manufacturers, allowing for more competition as a set-aside.

(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

ERIC E ANDERSON 116773 Digitally signed by ERIC E ANDERSON
116773
Date: 2019.10.21 08:40:53 -04'00'

Eric Anderson, Management Analyst
Contracting Officer's Representative

Date

(10) APPROVALS:

a. Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Eural A Bennett 197859 Digitally signed by Eural A Bennett 197859
Date: 2019.10.18 12:49:51 -05'00'

Eural Bennett, Contracting Officer

10/18/2019

Date

b. Supervisory Contract Specialist (required for order valued at SAT-\$700K): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Scott A. Russell 1112030 Digitally signed by Scott A. Russell 1112030
Date: 2019.10.21 08:58:31 -04'00'

Scott Russell, Supervisory Contracting Officer

10/18/2019

Date

HIGHER LEVEL APPROVAL (Required For orders over \$700,000):

c. VBA, Head of Contracting Activity (HCA) Approval: (over \$700,000 to \$13.5 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

Matthew J. Manning 430512 Digitally signed by Matthew J. Manning 430512
Date: 2019.10.22 07:49:43 -04'00'

Matthew J. Manning, Head of Contracting Activity

10/18/2019

Date

d. **VA Deputy Senior Procurement Executive Approval (\$13.5 million not to exceed \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4 (if under \$68 million.)

Name
Deputy Senior Procurement Executive (DSPE)

Date

e. **Senior Procurement Executive Approval (over \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

Name
Senior Procurement Executive (SPE)

Date