

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

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 Office of Acquisition Operations (OAO), Strategic Acquisition Center—Frederick (SAC-F), Maryland, on behalf of the U.S. Department of Veterans Affairs, Center for Veterans Enterprise (CVE) to provide Administrative and Professional Support Services.

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

The Office of Small and Disadvantage Business Utilization (OSDBU) provides numerous services for Veterans and Service-Disabled Veterans who seek to open or expand a business. The CVE owns and operates an Internet-based database application that allows Veterans to register their business and allows any user to search for veteran-owned businesses in any industry category. The VetBiz VIP online database allows Veterans to update their business information. It has the ability to cross-populate data from other sources, including the System for Award Management (SAM). Public Law (PL) 109-461 requires VA to verify that the companies registered in VIP are in fact owned and controlled by veterans or service-disabled veterans. Public Law 109-461 established the VetBiz Veteran Owned Small Business (VOSB) Verification Program under which the CVE officially verifies Veteran status and examines ownership and control records to verify that businesses are eligible to participate in VA's unique buying authority established by the Public Law (Section 502 and 503). To apply for inclusion in the program, owners complete VA Form 0877 and submit business and financial documents. Contractor employees examine the business and financial documents along with other information to assess whether the Applicant conforms to the requirements of 38 CFR Part 74. In some cases, the examination is inconclusive and in these cases, an onsite examination is conducted in order to assess whether the business conforms to the ownership and control requirements in the laws. The CVE staff also coordinates other tasks required of the U.S. Department of Veterans Affairs by several Federal laws, including:

- PL 108-183 (Dec 2003), "Veterans Benefits Act of 2003"
- PL 106-554 (Dec 2000), Section 803 and 808
- PL 106-50 (Aug 1999), the Veterans Entrepreneurship and Small Business Development Act of 1999.
- PL 105-135 (Dec 1997), Title VII, service Disabled Veterans Program
- PL 93-237 (Jan 1974), "Special Consideration for Veterans"
- PL 109-461 (Dec 2006), Section 502 and 503
- PL 111-275 (Oct 2010), Section 104

The VA issued a six-month bridge contract no. VA798-13-C-0004 to retain a contractor to provide administrative and paralegal support services to assist OSDBU in processing applications for verification, performing legal research, editing denial letters, managing

and tracking status of applications, filing, printing, and mailing letters, entering information into databases, and other management and administrative support functions under PL 109-461. The contract's period of performance is November 26, 2012 through May 25, 2013.

Due to delays in the Program Office defining the requirement to meet the ever changing verification mission, the increase in demand in the number of applications, the inability to hire Government staff and the procurement acquisition lead time (PALT) required in order to re-compete the requirement, a second six-month bridge contract is required to ensure that there is no interruption in the OSDBU verification mission. The Government will be re-competing the contract for CVE support services, but until that competition and award are made, the need for OSDBU-CVE support services continues unabated so that Veteran companies can maintain and obtain verified "Veteran" status under the Verification Program. The lack of readily available support staff will mean unwarranted delays in the verification process, causing ongoing or worsening harm to Veteran companies, VA compliance with PL 109-461 and VA's ability to meet its socioeconomic goals.

VA requires professional and administrative support services in order to conform to Public Law 109-461, which requires VA to verify that the companies registered in VIP are in fact owned and controlled by Veterans or Service-Disabled Veterans. The CVE Verification Program is vital step in determining whether a company is an eligible business under the "Veterans First" program and should receive minimum verification delays.

3. Description of Services:

This six-month bridge contract will continue to provide administrative and professional staffing support for the CVE Verification Program. The following Contract Line Item Numbers (CLINs) describe the services required under the contract.

Line Item	Description	QTY	Unit	Unit Price	Total
0001	Professional and Administrative Support Services	6	MO		

This contract shall be placed in anticipation of the award of an appropriate, longer term fixed price contract. The contract will extend the CVE support services until the new contract is awarded.

Anticipated performance start date for the bridge contract is May 26, 2013, and the anticipated performance start date for the long term contract is expected to be November 1, 2013.

The anticipated bridge contract performance period is May 26, 2013 through November 25, 2013. VA will not otherwise be able to provide vital verification services to deserving

Veterans' companies without the bridge contract that will both continue the flow of necessary services to the affected Veterans' companies while allowing VA sufficient time to re-compete the long-term contract.

This six-month bridge contract will ensure continued performance of OSDBU-CVE Verification Program while the contractor receiving the new award completes the estimated 30-day start-up period to begin providing OSDBU-CVE Verification support services

There is not enough time to secure a follow-on contract to avoid a break in verification services for affected Veterans companies without the award of this contract, and not enough time to compete the requirement to avoid said service break.

4. Identification of statutory authority:

The incumbent contractor will continue the support services currently provided through a sole source contract under the authority of 41 U.S.C. § 253(c)(1). The services needed by the executive agency are available from only one responsible source and no other type of services will satisfy the needs of the executive agency, as implemented by FAR 6.302-1.

5. Demonstration of contractor's unique qualifications:

AA Temps (dba Ardelle Associates) was previously awarded a five year IDIQ sole source contract to provide professional and administrative support services. Subsequently, Ardelle was awarded a six-month bridge contract.

Based on the current contract, and competitive proposals expected to be received from a number of vendors, the industry standard minimum start-up period is approximately 30 days, due to the complexity of coordinating services with CVE Program Office as well as the high level of information technology coordination and information security issues that must be in place before performance can begin. Awarding a new contract to a new vendor would not allow sufficient time for the vendor to meet this start-up period prior to expiration of the current contract, which greatly increases the risk of unsuccessful performance and a break in services for the OSDBU-CVE Verification Program. A six-month bridge contract with the existing contractor is required in order to establish stop-gap measures to provide the required services to meet the existing mission of VA OSDBU-CVE Verification Program.

Ardelle currently has the personnel in place and is capable of meeting the immediate OSDBU-CVE requirement without needing a ramp-up period. No other contractors will be able to recruit, train, and coordinate the IT and information security requirements.

Ardelle is the only responsible source capable of fulfilling immediate agency requirements (FAR 6.302-1) without unacceptable delays in delivering verification support services to worthy Veterans' companies. The need is compelling, and it is in the

public's and agency's interests to continue to secure these services pending a long-term award for such.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable:

In order to meet the requirements of FAR Part 5 and FAR Part 6.3 Other Than Full and Open Competition, a notice of "Intent to Procure via Sole Source" was published in the Federal Business Opportunities (FedBizOps) on . Additionally, a competitive solicitation is currently ongoing as a long-term solution for OSD/BU/CVE's professional and administrative service requirements.

7. Determination of Fair and Reasonable Costs:

The contracting officer does not expect an escalation in the proposed rates from the current contract because the term of this contract is six months. However, a price fair and reasonable determination using the methods prescribed by FAR15.404-1(b)(2).

8. Market Research:

Ardelle is a responsible source with respect to this contract opportunity. They are registered in SAM with NAICS code 541611 (Administrative Management and General Management Consulting Services) for this requirement.

The estimated dollar value for the six-month contract is [REDACTED]. Based on historical data from the previous 12-month period, the average monthly personnel cost was [REDACTED] however with the increase in Veteran business applications, the cost increased significantly each month with January 2013's total being projected to be [REDACTED] for 75 contractor personnel. There is a need to increase this number by 20-25% within the next 180 days.

Historical performance indicates a higher level of performance; however, due to funding constraints, the number of contracted personnel will be capped at 100 personnel until VA's administrative and professional services contract is in place.

In addition, pricing was developed using General Schedule Administration (GSA) contractors' public price lists for other contracts for the same and similar services.

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

There are no additional supporting facts regarding the use of other than full and open competition.

10. Listing of interested sources:

11. Actions the agency may take to remove barriers to competition:

The bridge contract is intended to balance VA's need for continued performance of Verification Program support services with the need to provide competition for a longer term contract for these services. The longer term contract for Verification Program support services will be solicited and awarded under the basis of full and open competition while this short-term bridge contract ensures continuity of performance.

TECHNICAL AND REQUIREMENTS CERTIFICATION

I certify that the supporting data that form a basis for the justification is complete and accurate.

[Redacted Signature]

Contracting Officer's Representative

14 MAY 2013
Date

CONTRACTING OFFICER'S CERTIFICATION

I certify this justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Contracting Officer

05-14-2013
Date

COMPETITION ADVOCATE APPROVAL

[Redacted Signature]

Executive Director, Office of Acquisition Operations

 5-15-13
Date