

Attachment B

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Great Lakes Acquisition Center NCO 12, Milwaukee, WI 53214 for Department of Veterans Affairs, Jesse Brown VA Medical Center, Chicago, IL 60612.
2. **Nature and/or Description of the Action Being Processed:** Approval is requested to award an emergency firm fixed price interim purchase order for continued and uninterrupted removal and disposal of regulated medical waste at the Jesse Brown VA Medical Center, Chicago, IL. The current contract expires 3/31/2013. The proposed interim purchase order will be for three (3) months to allow VA sufficient time to solicit and award a new competitive contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Jesse Brown VA Medical Center in Chicago, IL and CBOC's has a continued need for removal and disposal of regulated medical waste. The cost of these services is estimated at \$45,000.00 for the period of performance from 4/1/2013 to 6/30/2013
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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** NEIE Medical Waste Service LLC is the incumbent contractor and currently has all Sharp containers, bins, and equipment at all the VA sites for removal and disposal of regulated medical waste. An immediate need exists, and following the ordering procedures would result in unacceptable delays. This urgent request represents a means to setup an interim vehicle to ensure that the medical centers needs are not put at risk due to delays in awarding a new competitive contract. Therefore, it is the determination of the end-user and Contract Specialist (CS) that the essentiality of service performed by the incumbent contractor, to the day to day operations of the medical center, is ample justification for other than full and open competition for a three month interim extension.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The GLAC will be posting a solicitation to FBO to get a new contract in place by 7/1/2013.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contractor has agreed to extend the current pricing from the expiring contract through the next three month interim period at \$15,000.00/mo for this service. The time, cost, and tasks required to switch contractors on a short-term basis severely restricts any ability to quickly compete a short-term requirement.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted as this is a situation that cannot be delayed to avoid any buildup of regulated medical waste at the facilities.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition: Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** N/A
10. **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:** The primary step to overcome barriers to competition is focusing on properly competing the longer-term requirement which is the reason a three month interim purchase order is being requested.
11.
  - a. **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.

\_\_\_\_\_  
Name  
Title  
Facility

\_\_\_\_\_  
Date