

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 19, 4100 E. Mississippi Ave., Suite 900, Glendale, CO 80246, on behalf of the Grand Junction VA Medical Center (GJVAMC) , 2121 N. Avenue, Grand junction, Colorado 81501-6428, proposes to enter into a Justification for Other Than Full and Open Competition under purchase request number 575-13-6040-0035.
2. **Nature and/or Description of the Action Being Processed:** A firm-fixed priced contract is with Contractor is intended for the furnishing of all labor and materials required to complete the work according to scope of work, drawings and specifications for "PAINT DENTAL AREA" Project 575-13-814 at the GJVAMC.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The services required to meet the Agency's needs include removal of existing side slide glass doors and frames in the old ICU and installation of new tele-slide door systems and frames on the 5th floor of Building 1 of the GJVAMC. The estimated value of the award is not expected to exceed \$57,009.00, and the anticipated period of performance is 60 days after receipt of Notice to Proceed.
4. **Statutory Authority Permitting Other than Full and Open Competition:** FAR Part 6.302-5(b)(6), and the statutory provisions of Sole Source Awards under the Veterans Benefits Act of 2003 (15 U.S.C. 657f).
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Title 38 U.S.C. 8127 (b),(c) and (d) provide the authority for Department of Veterans Affairs (VA) contracting officers (COs) to make awards to Service-disabled Veteran-owned small business (SDVOSB) firms and Veteran-owned small business (VOSB) firms using other than full and open competition when certain conditions are met. With respect to the current action the conditions have been met and there is Justification for Other than Full and Open Competition. In accordance with the Veterans First Contracting Program and the Authority under 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007, the Government intends to negotiate a sole source contract to a SDVOSB.

Hawk Contracting Group LLC (HCG) is a SDVOSB performing as General Contractor on multi-disciplined Federal Construction projects, self-performing the electrical, controls engineering and carpentry work at GJVAMC. HCG has experience in standard construction projects and has received outstanding performance evaluations on the complex, difficult work performed.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable wherein under the Simplified Acquisition Threshold (SAT) the Government intends to negotiate a sole source contract to a SDVOSB in accordance with Veterans First Contracting Program and the Authority under 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007. NAICS Code 236220 applies to this procurement.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** All offered pricing will be reviewed by the CO and Contracting Officer's Representative (COR) upon receipt of the Request for Proposal, comparison to the Independent Government Estimate (IGE) and any necessary negotiated adjustments.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** HCG is registered under NAICS 236220, Commercial and Institutional Building Construction. Market research through NAICS 236220 shows several construction contractors in the area, but few with SDVOSB status. Acquisitions under the SAT (generally \$150,000) are reserved exclusively for small business concerns. The Department of Veterans Affairs follows this and additionally has a unique "Veterans First" approach specific to its contracting, requiring an order of priority (preference) for contracting officers to follow beginning first with SDVOSB contractors. HCG is registered with the System for Award Management (SAM), and is a verified SDVOSB through VetBiz with an exemplary past performance history with the GJVAMC.
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:** HCG.
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:** Not Applicable.

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.

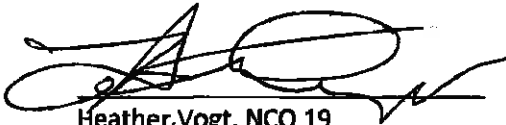
Patrick M. Marlow

Name
Title
Facility

6/6/2013
Date


Approvals in accordance with FAR 6.304

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


Heather Vogt, NCO 19
Contracting Officer

6-12-13
Date

- b. **NCM Designee**: I certify the justification meets requirements for other than full and open competition.


Gary Arwood
Deputy NCM, NCO 19

6/12/2013
Date