

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval
For
Other Than Full and Open Competition**

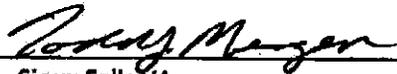
1. **Contracting Activity:** Network 23 Contracting Office (NCO 23) – Iowa City, 1303 5th St, Suite 300, Coralville, IA. 52241. 438-14-1-7365-0001.
2. **Nature and/or Description of the Action Being Processed:** This is a fixed price contract for Utilities. Water and sewer services need to be renewed for the Sioux Falls VA facility. Water and sewer services are locally available from the City of Sioux Falls.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** City of Sioux Falls shall provide water and sewer service. This service is required for the facility to provide medical care. Period of Performance is 10/1/2013 – 9/30/2014. Estimated Cost: \$225,000.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302-1.

(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):**
The City of Sioux Falls is the only utility company that can provide water and sewer service to the facility. No other utility provider in the local area can provide water and sewer without installing complex new infrastructure.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
Local utility maps were evaluated to see if other water and sewer infrastructure was available along with any other known utility companies. No other companies in the immediate area were identified.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
The Contracting Officer will make a fair and reasonable determination utilizing one of the following methods:
 1. Comparison of proposed prices received in response to the solicitation.
 2. Comparison of previously proposed prices and previous Government and commercial contract prices with current proposed prices for like items.
 3. Use of parametric estimating methods/application of rough yardsticks to highlight significant inconsistencies that warrant additional pricing inquiry.

4. Comparison with competitive published price lists, published market prices of commodities, similar indexes, and discount or rebate arrangements.
5. Comparison of proposed prices with independent Government cost estimates.
6. Comparison of proposed prices with prices obtained through market research for the same or similar items.
7. Analysis of pricing information provided by the offeror.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** GSA was checked. Water/Sewer utility services are not available in the geographical area on contract.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
 City of Sioux Falls
 1201 N. Western Avenue
 P.O. Box 7401
 Sioux Falls, SD, 57117-7401
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**
 None
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.



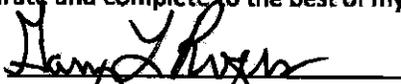
2 July 2013

Sioux Falls VA
 Name: Todd J. Mergen
 Title: Assistant Chief Engineer
 Facility: Sioux Falls, SD (438)

2 July 2013
 Date

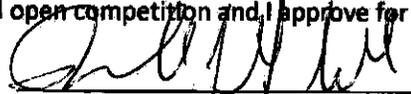
13. **Approvals in accordance with FAR 6.304**

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


 Contracting Officer
 NCO 23 – Iowa City

8/7/13
 Date

- b. **FCM(Required \$3K and above):** I certify the justification meets requirements for other than full and open competition and, I approve for other than full and open competition.


 Russell Grabill
 Facility Contract Manager
 NCO 23 – Iowa City

8/7/2013
 Date

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.

N/A

Name
Director
Service Area Office, East

Date

- d. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$10million) or approve (\$500K to 10 million) for other than full and open competition.

N/A

Name
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 million but not exceeding \$50 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 other than full and open competition.

N/A

C. FORD HEARD
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- f. **VHA Senior Procurement Executive Approval (over \$50 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 other than full and open competition.

N/A

Jan R. Frye

Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date