

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval**

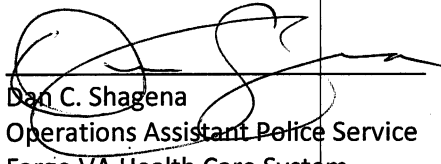
**For**

**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, Network 23 Contracting Office and Fargo VA Health Care System. Justification for Other than Full and Open Competition / Sole Source on purchase request 437-13-3-6058-1083
2. **Nature and/or Description of the Action Being Processed:** The Fargo (ND) VA Health Care System is seeking approval to conduct a sole source acquisition for temporary parking spaces. This will result in a new firm-fixed-price contract. Estimated cost for base year is \$43,200.00.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The requested service is temporary utilization of 60 parking spaces for employee use during construction projects that adversely affect employee parking spaces while construction is active. The proposed parking spaces are in the south lot of Messiah Evangelical Lutheran Church located at 2010 North Elm Street, Fargo, ND 58102. The proposed period of performance is August 16, 2013 through August 15, 2014 with the one (1) option year to extend the period of performance if needed.
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):** The church is located directly across the street from the VA and is the only parking area within walking distance. Other parking facilities are available; however, a shuttle service would be required in order to transport employees back and forth greatly increasing the cost to the government.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** An intent to sole source was posted on the Federal Business Opportunities website and no responses were received.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The prices negotiated for the temporary parking spots will be compared to prices

offered for parking in other areas to ensure that the price offered shall be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A search on SAM for registered businesses under NAICS 812930 located in Fargo yielded no results. A general internet search for parking in Fargo came up with parking options in downtown Fargo, Hector International Airport, and Elephant Park. The Downtown and Hector options are not within walking distance and would require a shuttle service. Elephant Park does not have a sufficient number of spots available to satisfy our requirements.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Messiah Lutheran has the only available parking that is within walking distance from the hospital and the sufficient number of spots available.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Messiah Evangelical Lutheran Church located at 2010 North Elm Street, Fargo, ND 58102.
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. This is a temporary requirement during construction projects.
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.

  
Dan C. Shagena  
Operations Assistant Police Service  
Fargo VA Health Care System

08/08/2013  
Date

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

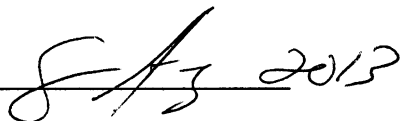
- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
Christopher Volk  
Contracting Officer  
Network 23 Contracting Office

08/08/2013  
Date

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

  
\_\_\_\_\_  
Scott Petrin  
Facility Contract Manager, NCO 23  
Fargo

Date   
\_\_\_\_\_  
8/13/2013

