

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)

****NOTE FOR USER: TEXT IN RED AND BLUE (PERTAINS TO LEASING ACTIONS) ARE INSTRUCTIONS AND SAMPLE LANGUAGE ONLY AND SHOULD BE REMOVED FROM THE TEMPLATE BEFORE SUBMITTING FOR APPROVAL.**

Acquisition Plan Action ID: **36C246-19-AP-2242 (558-19-2-105-00448)**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 06, Durham VA Medical Center, Durham NC. 27705.
2. **Nature and/or Description of the Action Being Processed:** The DVAMC has a new requirement for a base plus (4) four option year contract for Laboratory Supplies for the Animal Research Department. This is a sole source requirement for Lab Animal Supplies Inc. The requirement will consist of animal feed and bedding. The Research Department has specific requirements for the delivery and storage of the animal feed and bedding. These requirements are as follows:
 - a. Selected vendor must have a local warehouse/storage facility within a 50-mile radius, for standard deliveries;
 - b. Two hour commuting distance for emergency supplies;
 - c. Must be a certified Lab Diet dealer (<https://www.labdiet.com>);
 - d. Facility must be a weather-tight and climate controlled room;
 - e. Feed and products must be stored on pallets that are rotated on a first-in/first-out basis;
 - f. Must be able to provide enrichment, PPE, sanitization products, and other consumables as requested;
 - g. Selected vendor's facility must be regularly inspected, by the DVAMC Research staff, for compliance.

FAR13.5 Simplified Procedures for Certain Commercial Items:

Market research was conducted. The DVAMC Animal Research Dept had a previous awarded base/option year requirement for Animal Lab Supplies (#VA246-14-C-0025) with Granville Milling Co, Granville, NC. However, Granville Milling sold the warehouse and supply dealership to Lab Animal Supplies Inc. Lab Animal Supplies Inc. currently occupies the grounds to which the DVAMC received their animal lab supplies and services. DVAMC Research staff has conducted an inspection of the Lab Animal Supplies Inc. facility. The selected vendor is a Small Business and meets all required specifications.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

The Research Department has specific requirements for the delivery and storage of the animal feed and bedding. The supplier must have a local warehouse/storage facility that is weather-tight and climate-controlled room with a room temperature below 70°F and a relative humidity below 50%. Products

must be stored on pallets that are rotated on a first-in/first-out basis. The supplier must maintain an active pest control program monitored by an external company and must provide documentation upon request. Floors must be swept daily and documentation provided upon request. Supplier must be able to provide enrichment, PPE, sanitization products, and other consumables as requested.

This is a Base plus four option year requirement. Base year: \$94,165.00.
Option years (4): \$376,660.00.

February 01, 2019 thru January 31, 2020 (Base yr)
February 01, 2020 thru January 31, 2021 (Opt yr 1)
February 01, 2021 thru January 31, 2022 (Opt yr 2)
February 01, 2022 thru January 31, 2023 (Opt yr 3)
February 01, 2023 thru January 31, 2024 (Opt yr 4)

- 4. Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §3304(a)(1), as implemented by FAR 6.302-1. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.*

- (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;
- (x) (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;

FAR13.5 Simplified Procedures for Certain Commercial Items:

- 5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

See responses to question #2 and #3 above.

- 6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

Market Research was conducted IAW FAR Part 10. On Friday, March 8, 2018, requirement was upgraded to an emergency. (see supporting documentation).

Requirement will be sole sourced to local small business vendor. JA will be posted on FBO IAW For Part 5.102 and 6.305.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:

Requirement has been previously awarded. See 2268, Small Business Program and Contract Bundling Review.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

See response to question #6.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

N/A.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

N/A.

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:

This is a sole source requirement. Requirement upgraded to emergency on March 8, 2019.

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.

Jamece Petteway
VISN 6 Budget Analyst

Date: March 5, 2019

13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP: *This part is filled out by Contracting Staff as part of the Justification*

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

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >SAT

Initiated By:

Tiffany Pimble
Contracting Specialist

Date:

One Level Above the Contracting Officer (Required over SAT but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

Approved By:

Matthew Gray
Contract Officer
Branch Chief, Supply Team 1

Date: