

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition (FAR 6.302-1)

1. Contracting Activity: Department of Veterans Affairs, NCO 16, VA Gulf Coast Veterans Health Care Systems, Biloxi, MS.

2237 Transaction Number: 520-14-1-107-0002

2. Nature and/or Description of the Action Being Processed:

Continuation of Cable TV services (no satellite) to Joint Ambulatory Care Clinic (JACC) in Pensacola, Florida.

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

The proposed contract is for a base and four 1 year option periods. Currently the cable TV and the modem to the Energy Management Control System (ECMS) is supplied by Mediacom Cable.

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 service currently provided has the correct bandwidth and speed requirements for the Energy Management Control System (EMCS). No other service provider we surveyed can meet our requirements. The continued use of MediaCom will provide an uninterrupted and reliable cable service with the internet bandwidth required for the Energy Management System. The modem used by the Energy Management System (ECMS) was just purchased in January 2013 at a cost of \$2,500.00. Seeking another cable provider at this period could duplicate the governments cost in installation and service of the modem and cable TV.

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

The cable TV providers that were contacted by the do not provide the needed service or service to the area:

U-Verse – NO Service to the area

Sprint – No service

Comcast – No Service

Mega Path – Bandwidth 20↑ 1.0↓ DSL DOES NOT MEET REQUIRMENT

Cox Communications - Band Width 50↑ 5↓ Cable Modem (Cox will be expanding service ETA end of the year, NOT CONFIRMED which will increase bandwidth 100↑).

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

I hereby determine that the anticipated cost to the Government for this action will be fair and reasonable. Prices are based on the published price list available from MediaCom cable and will be compared to previous purchases by this facility and other government agencies.

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

A search of the VETBIZ database using the keyword "Cable TV " and NACIS code 515210 revealed no SDVOSB or VOSB owned enterprises in the state of Florida. An unrestricted search revealed 5 SDVOSB and 1 VOSB outside the state of Florida. However, the capabilities summary of each firm indicates that the acquisition still cannot be set aside for a SDVOSB or VOSB because out of the 6 firms the only two firms that show the potential to provide cable TV do so by the use of satellite TV. Satellite TV is not an option due to weather and the modem capacity required for the Energy Control Management System (ECMS).

A search of the SBA's dynamic small business database using the NACIS code 515210 revealed 14 small businesses in the state of Florida that had the potential to provide cable TV. Of the 14 firms, eight firms listed contact information but were outside the geographical location of the place of performance. A market survey was e-mailed to the eight firms asking each firm to provide their capabilities and if they were able to provide the work outside their geographical location. Only one firm responded by email indicating they could provide satellite TV service. One firm responded by phone and indicated they would have to see the performance work statement issued in the solicitation before confirming their capabilities. Based on the responses received from the market survey and personal knowledge from previous acquisitions for cable TV in the gulf coast area it is not reasonable to expect offers from two or small business firms that can provide cable TV service in this area.

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

Mediacom is the cable provider for the Pensacola Naval Air Station and the only provider in this area that can meet the Bandwidth speed.

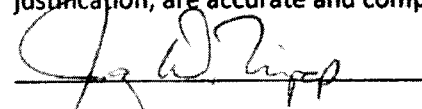
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

NexTech Solutions, LLC. This company provides the service through the use of satellite TV. The use of Satellite TV is not an alternative option.

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:

The agency reached out to possible cable providers but was unable to find a reliable source that could meet the government's requirements.

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.


VA Gulf Coast Health Care System

9/3/13
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.

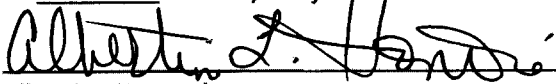


Windell Lance
CONTRACTING OFFICER
VA Gulf Coast Health Care System
NCO 16 – Biloxi, MS

9/13/13

Date

b. **CHIEF P&C:** I certify the justification meets requirements for Other Than Full and Open Competition per FAR 6.302-1.



Albertine Honore
CHIEF, PURCHASING AND CONTRACTING
VA Gulf Coast Health Care System
NCO 16 – Biloxi, MS

9/5/2013

DATE