

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**Remote maintenance of the DAKS system at Biloxi**

**1. Contracting Activity:**

Department of Veterans Affairs, Network Contracting Office 16.

**VA Gulf Coast Veterans Health Care System (VAGCVHCS)**  
400 Veterans AVE  
Biloxi, MS 39531

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

The item being purchased is for remote maintenance of the Digital Alarm and Communication Server (DAKS) system at the Biloxi VA campus.

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

This equipment is used by the facility for emergency notification during disasters and other emergencies.

**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):**

Impact Technologies owns and has proprietary rights to this software and is the only company that can provide the support.

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

Impact Technologies is the sole manufacturer and distributor of the DAKS system. No other company manufactures or distributes this product.

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

Anticipated cost will be considered fair and reasonable . The basis for this determination will be provided by comparison with previous acquisitions or current price lists for the same items in order to meet the needs of the government per FAR Part 13.106-3.

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

Market research indicated that DAKS maintenance is available in the commercial marketplace. However, research also indicated that the small business firm, Impact Technologies, was the only source to provide the services.

**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:**

No other sources have expressed an interest in this particular acquisition.

**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:**

No other company manufactures or distributes this product,therefore, there is little that can be done to remove this barrier at the present time.

**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.



9/16/13

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David Wagner  
CHIEF, Information Management Service  
VAGCVHCS, Biloxi Medical Center, Biloxi, MS

\_\_\_\_\_  
Date

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

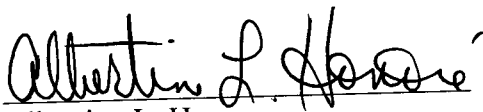
**a. Contracting Officer's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



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Windell Lance  
CONTRACTING OFFICER  
NETWORK CONTRACTING OFFICE (NCO) 16  
VAGCVHCS, Biloxi Medical Center, Biloxi, MS

9/16/13  
\_\_\_\_\_  
Date

**b. P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



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Albertine L. Honore  
CHIEF, PURCHASING AND CONTRACTING  
NETWORK CONTRACTING OFFICE (NCO) 16  
VAGCVHCS, Biloxi Medical Center, Biloxi, MS

9/16/2013  
\_\_\_\_\_  
Date