

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 8, San Juan Medical Center, Medical Media Production Service. The purchase request number is 672-13-3-343-0073.
2. **Nature and/or Description of the Action Being Processed:** This is a justification and request for other than full and open competition for the removal and re-installation of existing Internet Protocol Television (IPTV) Equipment in the San Juan Medical Center, VA Caribbean Healthcare System (VACHS). Such action will be awarded as a new contract and the type of contract contemplated shall be a Firm Fixed Price contract
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This procurement is for the removal and relocation of current VBricks IPTV equipment to the new Administrative Building at the San Juan Medical Center, VACHS. Services include new location preparation, to include, electrical wiring, installation services, and set up of equipment in the VBricks Server. This equipment will be connected to the existing IPTV infrastructure and to the VBricks Server. All equipment must connect accordingly to provide effective video communications throughout the VACHS. This is a one-time job/action. Estimated delivery dates for this action are after date or award, approximately 60 business days. The estimated amount for this procurement action is \$52,000.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(g), as implemented by FAR 6.302.

 - (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 VBricks System is the current system utilized as the backbone of the IPTV infrastructure. Such system is considered highly specialized equipment that can only be serviced by VBricks authorized service providers. Services cannot be provided by any other providers that are not VBricks certified as such equipment has its trained, authorized and exclusive providers as provided, permitted and granted by the brand

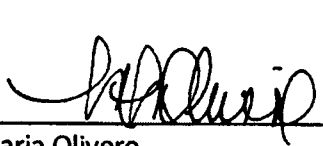
company. Therefore, use of such brand name and its service providers is essential and required by the Government.

Competition will substantiate duplication efforts and possible costs due to the fact that market research has provided location exclusivity rights by VBricks as well as legal issues for circumventing exclusivity privileges, as provided by VBricks. Furthermore, not utilizing authorized, trained service providers may hinder equipment functionality and create operational issues due the incomprehension of VBricks systems components and practicality of such. The Caribbean Phone Center Corporation is the only VBricks authorized and exclusive service provider and reseller of VBricks video communications solution systems in Puerto Rico and the US Virgin Islands.

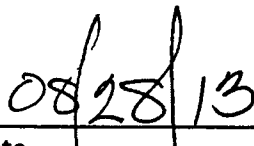
Furthermore, due to the magnitude and importance of this project, it is essential to have local resources to expedite relocation efforts as well as provide hasty support 24 hours a day, 7 days a week.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** VBrick systems, Inc., was contacted and they have expressed, in writing, that The Caribbean Phone Center Corporation is their exclusive authorized reseller in Puerto Rico. Therefore, no more efforts were continued and we proceeded to create this justification. However, notice of intent to award sole source synopsis will be prepared and synopsized in accordance to FAR 5.201.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The total estimate is for the equipment relocation is of \$53,000.00. Estimated costs are considered fair and reasonable since estimations are based on current market prices. After pricing information is received, the information will be evaluated against the independent Government estimate. Negotiations will be held, if required, in order to reach a fair and reasonable price for both parties.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As mentioned in section 6 above, VBrick systems, Inc., was contacted and they have expressed, in writing, that The Caribbean Phone Center Corporation is their exclusive authorized reseller in Puerto Rico. Consequently, no other efforts were conducted. However, as also mentioned above, the appropriate synopsis will be prepared and synopsized.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** This equipment will be integrated to the existing VACHS IPTV infrastructure and must support connection with the existing equipment.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section 6 above.
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:** As VBrick's VNCE Business partner and exclusive partner in the Caribbean, Caribbean Phone Center Corporation is their exclusive reseller and provider of services. Government exhorts companies to acquire any training requirements and partnerships that will give offerors an edge in providing holistic services to the market in general.

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.



Maria Olivero
Chief, Medical Media Production Service
VA Caribbean Healthcare System



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.

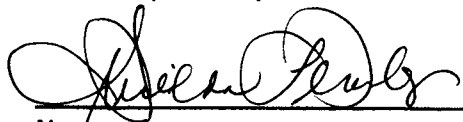


Maribel Santa
Contracting Officer
Facility

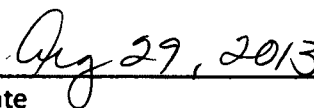


Date

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



Name
Network Contract Manager
VISN/PCA X



Date

Title
Facility

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

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.

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.

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.

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

Date