

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval For

### SERVICE DISABLED VETERAN OWNED SMALL BUSINESS (SDVOSB) or VETERAN OWNED SMALL BUSINESS (VOSB)

### CONTRACT AWARD –

**1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16, Michael E DeBakey VA Medical Center (MEDVAMC). Office of Information Technology has provided this Justification and Approval for Other Than Full and Open Competition for the procurement for the NEC SV8300 PBX Telecommunications Systems Maintenance for Katy Community Based Outpatient Clinics (CBOC), Tomball (CBOC) and the MEDVAMC. Purchase Request number 580-14-1-2300-0004.

**2. Nature and/or Description of the Action Being Processed:** It is recommended that a sole source Veteran Owned Small Business (VOSB) or Service Disabled Veteran Owned Small Business (SDVOSB) award be made to Standard Communication, Inc. (SCI)

Request a new firm fixed priced service contract for the current and future CBOCs, Vet Centers, MEDVAMC or buildings requiring the maintenance and move/add/changes (MAC) on the NEC SV8300 PBX Telecommunications Systems without voiding the warranty. The period of performance is for base year plus four twelve month option periods at a firm-fixed price (FFP).

Estimated Value: \$215,088.02

Base Year: \$40,920.00

Option Year 1: \$41,943.00

Option Year 2: \$42,991.58

Option Year 3: \$44,066.36

Option Year 4: \$45,168.02

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** Government has a requirement to moves, adds, and changes to the NEC SV8300 PBX Telecommunications Systems without voiding the current warranty. Government requires current contractor SCI that installed the government equipment, to execute the services thereby sustaining current warranty on the government owned equipment. The services to moves, adds, and changes to the NEC SV8300 PBX Telecommunications Systems are not part of the current warranty.

Utilizing the current contractor for service and maintenance to move/add/changes (MAC) on the NEC SV8300 PBX Telecommunications System for the MEDVAMC, Katy and Tomball CBOC, will not void the government warranty. The current contractor SCI performed the installation for the government equipment, however the government did not include the services for moves, adds, and changes or follow on maintenance upon warranty expiration.

**4. Statutory Authority Permitting Other than Full and Open Competition:**

(X) (5) Authorized or Required by Statute FAR 6.302-5;

In accordance with FAR 6.302 “Circumstances Permitting Other than Full and Open Competition” the following statutory authority is cited as justification to award a sole source Veteran Owned Small Business contract valued more than \$25,000 (simplified acquisition threshold) and less than \$5,000,000 (authority ceiling limit)

Far 6-302-5 “Authorized or Required by Statute”

Authority.

Citations: 10 U.S.C 2034(c)(5)

Full and Open Competition need not be provided for when –

A statute expressly authorizes

Statute: P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c)

Sole Source Contracts for Contracts Above Simplified Acquisition Threshold- For purposes of meeting the goals under subsection (a), and in accordance with this section, a contracting officer of the Department may award a contract to a small business concern owned and controlled by veterans using procedures other than competitive procedures if--

such concern is determined to be a responsible source with respect to performance of such contract opportunity;

the anticipated award price of the contract (including options) will exceed the simplified acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) but will not exceed \$5,000,000; and

in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

**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 statutory authority permitting other than full and open competition for this acquisition Statute: P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c).

The NEC SV8300 PBX system was originally installed in Katy CBOC in April, 2013 and Tomball CBOC in October, 2013. The contractor Red River Computer Company was awarded the contract under a NASA SEWP task order for material, labor, installation, and one year warranty. Standard Communication, Inc. (SCI) served as the sub-contractor under this contract.

The initial contracts did not contain services for moves, adds, and changes or follow on maintenance upon warranty expiration (1 year). The contractor (SCI) is a SDVOSB and has been verified in SAMS, GSA Advantage, and VetBiz.gov. SCI is also the contractor that

installed the replacement NEC PBX system for the main MEDVAMC in September, 2013. That system is current under a warranty period and SCI provides maintenance, moves. Adds/changes (MAC), and onsite support.

SCI has excellent performance with the with the awarded NEC PBX system for the main MEDVAMC.

A Fair and reasonable price can be obtained for the government since SCI is discounting the maintenance and MAC services (approximately 33%) for the requirement.

SCI has intimate knowledge of the design and architecture of both PBX systems in the KATY and Tomball CBOC's.

If another vendor is selected, additional risk would be incurred as the warranty on these newly installed systems would be voided by SCI. Any new contractor's staff may not fully understand the complex requirements and integration of these systems and may require a learning curve to gain familiarity with the architecture. It would be highly advantageous for the government to have the same contractor providing maintenance on the same NEC brand PBX systems and MAC services for the main facility and the outlining CBOC's.

The proposed source for this acquisition is (Standard Communications Incorporated (SCI), 5402 Leeds manor Rd., Hume, VA. 22639). SCI is a certified SDVOSB and is technically qualified to provide maintenance and MAC services on NEC SV8300 PBX Telecommunications System at the Katy and Tomball CBOC's. SCI has intimate knowledge of the design and architecture of both PBX systems in the KATY and Tomball CBOC's. SCI installed both systems at these locations.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research was not conducted, Contracting Officer discretion to utilize Far 6-302-5 "Authorized or Required by Statute" P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c).

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The proposed contract includes a considerable discount because the contractor is already servicing the main hospital, and option year pricing has been discounted. Contractor is proposing a 33% discount from their market price with option years.

Contracting Officer, in addition, can compare pricing with other VA Medical Centers, government agencies, as well a review procurement history.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted, Contracting Officer discretion to utilize Far 6-302-5 "Authorized or Required by Statute" P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c).

Market research was not conducted based on the fact that SCI (SDVOSB) is providing maintenance/MAC services (including onsite) to the main facility PBX system and the urgency to obtain MAC and follow on maintenance for Katy and Tomball CBOC's. The Katy and Tomball CBOC's are newly installed and required MAC services and follow on growth in immediate urgency. SCI installed the NEC PBX Telecommunication system at all three locations under separate contracts. SCI has intimate knowledge of the design, architecture, and maintenance requirements during warranty and follow on growth for both PBX systems at KATY and Tomball CBOC's.

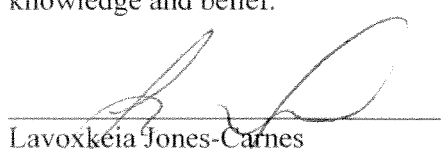
The VetBiz.gov database was accessed on (11/19/13). This search concluded that (Standard Communication, Inc. (SCI) is registered and certified and qualifies as a SDVOSB in accordance with the federal small business size standard for the applicable North American Industry Classification System Code (541519). It was verified on (11/19/13) that (Standard Communication, Inc. (SCI) is registered in the SAM database and is eligible to receive a Government contract.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** This proposed action meets the requirements P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c) This acquisition is below the \$5,000,000.00 threshold, Standard Communication, Inc. (SCI) is a responsible SDVOSB for performance of the services described herein, and the proposed contract can be awarded at a fair and reasonable price.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section VI 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:** All future requirements beyond the option year periods will be solicited to seek other businesses with capabilities, since the current warranty will have expired. In addition a VISN wide consolidated contracts is anticipated.

**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.

  
Lavoykeia Jones-Carnes  
Administrative Officer OIT  
Michael E. DeBakey Medical Center

  
Date

**13. Approvals in accordance with FAR** 6-302-5 "Authorized or Required by Statute" Authority.

Citations: 10 U.S.C 2034(c)(5)

Statute: P.L 109-461 Sec. 502 as codified in 38 U.S.C. § 8127(c)

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



Anthony CP Marion  
CONTRACTING OFFICER  
Network Contracting Office 16

03/26 / 14  
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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JEFFERY A. FARLEY  
CHIEF, PURCHASING AND CONTRACTING  
Network Contracting Office 16

\_\_\_\_\_  
Date

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Aaron Villalpando  
Director of Contracting  
Network 16 Contracting Office

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Date