

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 7, Network Contracting Officer, for the Charlie Norwood Veterans Affairs Medical Center in Augusta, Georgia plans to award an 8(a) direct sole source contract to 1st American Systems and Services, LLC, 7609 Leonard Dr., Falls Church, VA 22043 for maintenance of installed patient internet wireless equipment and with continuance of monitoring services. Transaction Number – 509-14-1-141-0007.
2. **Nature and/or Description of the Action Being Processed:** The required patient wireless monitoring service with the possibility of future wireless internet equipment will be awarded as a new firm-fixed priced contract. The contractor will provide monthly wireless monitoring services for patient and family usage which is independent of the VA's internet/intranet system. The following is the estimated length of the contract for a base period with four option periods:

Base period:	4/15/2014 – 4/14/2015
Opt. Period One:	4/15/2015 – 4/15/2016
Opt. Period Two:	4/15/2016 – 4/14/2017
Opt. Period Three:	4/15/2017 – 4/14/2018
Opt. Period Four:	4/15/2018 – 4/14/2019

Total Estimated Cost: \$120,000.00

The estimated dollar value of this procurement (including all options) is \$120,000.00. The assigned NAICS Code is 517210, "Wireless Telecommunications Carriers (except Satellite)" with a corresponding size standard of 1500 employees.

In accordance with Section 8(a) of the Small Business Act (15 USC 637(a)(1)), the Federal Acquisition Regulations (FAR) Part 19.8 and the executed Partnership Agreement between the U.S. Small Business Administration (SBA) and the Department of Veterans Affairs (VA), SBA accepted the VA's offer to negotiate directly with 1st American Systems and Services, LLC for the wireless internet monitoring services.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The contractor shall provide a minimum of 3 Mbps not to exceed 35 Mbps for monitoring service of patient and guest wireless access to the internet in designated areas, while utilizing the medical services at the hospital, to include but not limited to, other sites such as the Fisher House. The service must not interfere with current wireless infrastructure in-place at the facility currently used for both business functions and medical devices. The monitoring service shall be provided at designated areas of the Uptown and Downtown sites of the

CNVAMC to include the Fisher House. The contractor will provide a network filtering service and network filtering device that prevents users from visiting inappropriate sites. The device must allow additional blocking as determined by VA policies and procedures. A filter list will be provided on a regular basis as the need arises since websites may change addresses or new sites may appear from time to time.

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

- () (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
- (X) (5) Authorized or Required by Statute FAR 6.302-5(b)(4) Sole Source Awards under the 8(a) Program;
- () (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):

In accordance with Section 8(a) of the Small Business Act (15 USC 637(a)(1)) and the FAR Part 19.8, and the executed Partnership Agreement between the U.S. Small Business Administration (SBA) and the Department of Veterans Affairs, SBA authorized the Department of Veterans Affairs to proceed with its requirement for continued monitoring of patient wireless internet access service of installed equipment with:

1st American Systems and Services, LLC
7609 Leonard Dr.
Falls Church, VA 22043

(SBA noted under the 8(a) program, procurements that do not exceed \$150,000.00 can proceed directly with the procurement without obtaining a written offer from SBA.)


The company has been in business since November 24, 2010 and is in an 8(a) Business Development Program participant whose capabilities can be found or obtained by accessing the Dynamic Small Business Search database, an electronic database consisting of profiles of all 8(a) certified firms, at <http://www.sba.gov> and SAM. SBA confirmed 1st American is current with all requirements and is eligible to contract in sole source 8(a) work. The acceptance of this requirement for 8(a) Business Development Program will have no adverse impact on an individual small business, a group of small businesses located in a specific geographical location or other small business programs under the NAICS code 517210.

6. Description Of Efforts Made To Ensure That Offers Are Solicited From As Many Potential Sources As Deemed Practicable: A search in VETBIZ database with the NAICS criteria (517210) resulted in no business listing. Under the same NAICS code and award

date of 1/1/2012, an FPDS search revealed 432 awards that were mostly to other than small business such as Sprint, AT&T Mobility, Cellular South, or localized area carriers. SBA stated that the same small business had performed this requirement within the last 24 months. As such, the acceptance of this requirement for the 8(a) BD program will not have an adverse impact on an individual small business, a group of small business located in a specific geographical location, or other small business programs under the NAICS code 517210.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Market research revealed that the monitoring access fees for wireless internet service is priced by the size of bandwidth used, i.e. kbit/s (kilobits per second) or Mbps (megabits per second) or GBps (gigabyte per second). Past procurement history revealed a requirement for a set minimum of 3 Mbps (estimated at \$2000/month with more than 17 locations) that also includes 24/7 support, software website updates, and monitoring service for website usage. For example, pricing of ethernet network premium services at 3MB is \$143.05 /each to 30MB - \$624.69/ea., so the higher requirement for Mbps results in higher fees.
8. **Description of Market Research Conducted and the Results, or a Statement to the Reasons Market Research was not Conducted:** A VETBIZ.gov search of NAICS code "517210" yielded no results. Any procurement that is under \$120,000.00 that is set-aside for 8(a) does not require a written authorization from SBA. A copy of the vendor's acceptance letter from SBA into the 8(A) BD program is sufficient and a certificate of competency is not required. Under the same NAICS code and award date range of 1/1/2012, an FPDS search yielded 432 awards that were mostly to other than small business such as Sprint, AT&T Mobility, Cellular South, or localized area carriers. Additional market research was not done per FAR 6.302-2 because of the immediacy of the service. Undue time constraints will impact the continuity of service. The cost to the government for the recent installation of equipment for multiple areas at the Uptown and Downtown sites was \$149,900 with a year warranty period. Any repairs performed by another company would void the current warranty, which could lead to duplication of cost to the Government in addition to risk of disruption of service. For these reasons it is advantageous to the Government to award to the incumbent, an 8(a) ESWOSB firm.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The previous contract expired and the incumbent has continued to provide wireless internet monitoring service for patients and families. There is a great risk of suspension of service for a period of 45 to 90 days if another contracting source is utilized. The Department of Veterans Affairs FY 2014 small business procurement goals for small disadvantaged-business (includes 8(a)) and woman-owned small business is 5% for each category. The proposed procurement to the incumbent helps to meet set goals.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** 1st
American Systems and Services, LLC, 7609 Leonard Dr., Falls Church, VA 22043.

11. **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.



Willie A. Downs,
Supv. M&O Facilities Management
Charlie Norwood VAMC

4/8/14

DATE:

12. 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.

RDJ
NICOTQA
4-15-14
Shirley B Adams

Shirley B. Adams
Contracting Officer, NCO 7

April 10, 2014
DATE

- b. NCM/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Prudence Y. Howard

Prudence Y. Howard
Director of Contracting, NCO 7

4/25/14
DATE

Market Research Report
Patient Wireless Internet Service
Transaction 509-14-1-141-0007

1. **Objective:** Per FAR 10.001(a)(2), this report is in support of continuing service for patients and guests wireless internet access.
2. **Background:** The Charlie Norwood Veterans Affairs Medical Center has a bona fide continuing need for patients and guests wireless internet access. Contract VA247-12-C-0094 was awarded to 1st American IMTS, LLC for a base year with four (4) one year option periods (6/18/2012 – 6/17/2017), at an estimated total cost of \$269,900.00 that included installation of equipment in specified areas of the medical center to include, but not limited to, the Fisher House.

Product or Service code for the proposed new contract: J

NAICS – 517210

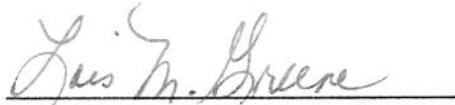
Recommendation: Set Aside for 8a ESWOB

Transaction 509-14-1-141-0007 was submitted in November 2013 for a proposed period of a base plus four (4) one year options at an estimated cost of \$120,000.00. Based on this information, current wage determinations, past procurement history for this service, and IGE, it is in the Government's best interest to enter into a contract for the full five-year proposed cost at \$120,000.00.

3. **Market Research Sources:** VA subject matter experts, Governmental website – VetBiz, FPDS, and Small Business Administration.
4. **Market Research Findings:** VetBiz website yielded zero findings under the search parameter of NAICS 517210. FPDS was searched by the NAICS code from the date of 1/1/2012 to present. Most of the awards made were to large companies such as AT&T, Mobile Cellular, Sprint, (some were mandatory communication contracts) and localized area companies. Subject matter expert suggested 1st American to prevent avoidance of warranty on wireless internet equipment recently installed. SBA was contacted to determine if the suggested source, 1st American, was still eligible under the 8A program. SBA via email confirmed the company's certification in the 8a program. *(SBA stated that any procurement that is less than \$150,000.00, VA does not have to issue a letter of offer to SBA, but can negotiate directly with the 8a company).*
5. **Customary Commercial Terms and Conditions:** This service is available through the commercial market fixed price, brand name or equal. Commercial clauses will require no tailoring.
6. **Market Price:** \$5,000 - \$8000/month monitoring service; yearly cost \$24,000 (base yr.) – Proposed contract for a base plus four option periods is estimated at \$120,000.00.
7. **Acquisition History:** Contract VA247-C-0094 was awarded on 6/18/2012 with base and four option periods for the estimated cost of \$638,000.00. This past procurement was competed

7. **Acquisition History:** Contract VA247-C-0094 was awarded on 6/18/2012 with base and four option periods for the estimated cost of \$638,000.00. This past procurement was competed and five (5) proposals were received with award being issued to 1st American (8a ESWOB). The initial phase required installation of wiring, routers, etc., for designated areas at the Uptown and Downtown sites of the medical facility to include the Fisher House. Installation was completed within six weeks. Monthly monitoring of wireless access as defined in the statement of work began in August 2012 with the contract expiring on 6/17/2013. Option period one was to begin on 6/18/2013, but the COR did not notify the control point official (Director's office) to submit a transaction request. The warranty on the installed equipment would be voided should another contractor come in to repair them. Suspended internet access could happen if a new contractor requires their own equipment and software licenses. This would cause a duplication of cost to the government to include the possibility of increased monthly monitoring fees.
8. **Other pertinent information:** This service is essential to patients and guests in maintaining communication with family, businesses, schools, etc. while receiving medical care.
9. **Recommendations:** Based on the continuing essential need for monitoring services, it is recommended that this procurement be issued as a sole source 8a ESWOB to the recommended source, 1st American.

Prepared by:



Lois M. Greene
Contract Specialist

Date: 4/7/2014

B

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Vendor Name:	SPRINT COMMUNICATIONS COMPANY L.P.	Base And All Options Value:	\$-27530.16
Other AWARD ID:		Action Obligation:	\$-27530.16
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Vendor Name:	MOBILE RADIO COMMUNICATIONS, INC.	Base And All Options Value:	\$0.00
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Vendor Name:	A & T SYSTEMS, INC.	Base And All Options Value:	\$174571.35
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AWARD ID:	3600-VA24912C0277	Doc Type:	DCA
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Questions or Concerns? Contact Us: Center for Veterans Enterprise 810 Vermont Avenue, NW Washington, DC 20420 | (866)584-2344 (202)363-3260 | VIP@VA.GOV

U.S. Department of Veterans Affairs - 810 Vermont Avenue, NW - Washington, DC 20420

Reviewed/Updated Date:

Subject: Decision Letter



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

July 2, 2009

Alpa Shah, Managing Member
1st American Systems and Services, LLC
469 Private Drive 10463
Proctorville, Ohio 45669-7920

Dear Ms. Shah:

Congratulations! Your firm has been certified as a Participant in the U.S. Small Business Administration's (SBA) 8(a) Business Development Program. Your nine (9) year program term begins on the date of this letter.

During participation in the 8(a) Business Development Program, you will receive business development assistance from an assigned Business Development Specialist in the Columbus District Office located at 401 North Front Street, Suite 200, Columbus, Ohio 43215-2592. The phone number is (614)469-6860.

Your firm will become eligible to receive 8(a) Business Development contracts after you submit a business plan using SBA Form 1010C and receive SBA's approval of the plan. We are sending a copy of this certification letter to the SBA Columbus District Office. That office will send you the business plan form.

SBA requires that the 8(a) participant's President or Chief Executive Officer sign a Participation Agreement to show that he or she understands the conditions of 8(a) Business Development Program participation. Please read the Agreement carefully, sign and date one copy and return it to the SBA Columbus District Office at the address shown in the second paragraph above. The second copy is for your records.

Even though your firm's approved North American Industry Classification System (NAICS) Code is 541611, your firm may be awarded contracts under other NAICS Codes, as long as the firm is qualified to perform the required service or task. In this regard, please note that contracts awarded under 8(a) Business Development Program authority generally result from the self-marketing efforts of participating firms. While your firm's acceptance into the 8(a) Business Development Program is not a guarantee of contract support, SBA will make every effort to assist you in your marketing efforts.

During your participation in the 8(a) Business Development Program, I encourage you to take

advantage of the Mentor-Protégé Program, the Federal Surplus Property Program and the extensive management and technical training available to you. Your local SBA District Office can provide additional information on these programs.

You should consider setting up a merchant account with a credit card company, which will give you the ability to accept credit card orders for your goods and services from over 1,000 Federal buying offices.

I welcome you as an 8(a) Business Development Program participant and wish you every possible success.

Sincerely,

A handwritten signature in cursive script, reading "Joseph P. Loddo". The ink is dark and the signature is fluid, with a large initial "J" and a stylized "Loddo".

Joseph P. Loddo
Associate Administrator
Office of Business Development

Greene, Lois M.

From: Scott, Lorraine M. <Lorraine.Scott@sba.gov>
Sent: Thursday, April 03, 2014 4:43 PM
To: Greene, Lois M.
Subject: [EXTERNAL] Authorization to contract with 1st American Systems and Services
Importance: High

Hi Ms. Greene,

You are authorized to work directly with 1st American Systems and Services for your Simplified Acquisition of approximately \$120,000 to provide installation and monthly monitoring for patient wireless internet services at the Charlie Norwood VA Medical Center (CNVAMC) in Augusta, Georgia.

1st American is current with all requirements and eligible to contract in sole source 8a work.

Please provide me a copy of the signed contract.

Please let me know if you have any questions.

Best regards,
Lorraine Scott
Business Opportunity Specialist

Mailing:
Small Business Administration / WMADO
Attn: Lorraine Scott, 2nd Floor
409 3rd Street SW
Washington, DC 20416
Phone: 202.205.6929
Fax: 202.292.3842