

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 16, VA Gulf Coast Medical Center, Human Resources My Health Vet Program Office.
520-15-1-044-00001
2. **Nature and/or Description of the Action Being Processed:** To negotiate a firm fixed price contract for the annual renewal of existing commercial broadband internet services for MHV Kiosks located at Panama City NAS, Panama City Delwood, Pensacola (JACC) and Mobile
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** request for renewal of internet services for the My Health Vet locations for the period of 10/01/2014 to 09/30/2015. The quoted price of \$4,560.00 covers the entire year for all four facilities. Price breakdown as follows:

Type:	Sub Account #	Speed	Monthly:	Annual:	Location:
Dry loop	850 234-7741	1.5	\$90.00	\$1080.00	Panama City FL (NAS)
Dry loop	850 234-7353	1.5	\$90.00	\$1080.00	Panama City FL (Delwood)
Dry loop	850 453-6976	1.5	\$90.00	\$1080.00	Pensacola FL (JACC)
Dry loop	251 434-6754	3.0	\$110.00	\$1320.00	Mobile AL

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 VA Gulf Coast Veterans Health Care System covers a geographical area that spans three (3) states along the northern gulf coast. Providing consistent high quality service is paramount to ensuring the best possible access to VAGCVHCS Veterans. Upon our initial market review it was determined that only AT&T was capable of providing 1.5 megabyte + commercial broadband service to the majority of our desired sites. This was due to infrastructure limitations and the concentration of regionally focused high speed internet providers whose service did not cross all three state lines. Historically, Cable One, Comcast,

Cox Cable, CenturyTel and AT&T where all solicited but only AT&T was able to accommodate the government's needs.

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

Upon our initial market review it was determined that only AT&T was capable of providing 1.5 megabyte + commercial broadband service to the majority of our desired sites. Telephone calls were made to the sales offices of each of these providers. Cable One, Comcast, Cox Cable, CenturyTel and AT&T. The results of this research determined that only AT&T was able to accommodate our request due to the coverage area.

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

Based on the historical pricing of this service from FY12 to the current year the Contracting officer has determined the price to be fair and reasonable. The contract pricing has actually decreased 10% to 11% each year and now remains consistent with the previous year proposal. The constant price remains within the market normative range for this type of service. See actual pricing below:

FY 12 520-C20285 \$5340.00/year

FY 13 520-C30268 \$4800.00/year

FY 14 520-C40220 \$ 4560.00/year

Current year proposal for pending FY15 funding \$4560.00/year

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 SBA Dynamic utilizing the NAICS 517110 and local area locations of Alabama and Florida yielded three small business that provide commercial internet service. Researching further into these three small businesses it was discovered that they only provided service to one of the regional areas requiring service.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: AT & T is the only vendor that has expressed interest in providing the required service to both regional areas.

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:

Continue to perform market research before procuring to determine if other providers have expanded their geographic network in which they can accommodate our requirement.

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.

for 

Andrew Roberts
Acting Chief, Human Resources
VA Gulf Coast Veterans Health Care System

Date 9-25-14

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.

Tina Harris
Contracting Officer
NCO 16 DIV II SER B

Date _____

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

Bennett Smith
NCO 16 DIV II SER B Chief

Date _____