

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval**

**For**

**Other Than Full and Open Competition**

**1. Contracting Activity:**

Department of Veterans Affairs, VISN 12  
Great Lakes Acquisition Center  
115 South 84<sup>th</sup> St.  
Milwaukee, WI 53214-1476

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

A sole-source contract action to obtain Local Exchange Carrier (LEC) services on the VA Region 2 Century Link infrastructure for the Tomah VA Medical Center in Tomah, WI and the VA River Valley Clinic in La Crosse, WI. This proposed contract action is for a three month base and will include two, three month option periods with:

Qwest Government Services Inc.

DBA Century Link

4250 North Fairfax Dr.

Suite 4000

Arlington, VA 22203

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

The proposed action will obtain LEC services for the Tomah VA Medical Center from Qwest Government Service DBA Century Link. These services will include local telephone service, the Synchronous Optical Network (SONET), and OC-12 data line for the Tomah VA Medical Center. Additionally it will provide local telephone service and a T-1 data line for the CBOC in La Crosse.

Base Price: \$28,200.00

3 Month Option: \$28,200.00

3 Month Option: \$28,200.00

**Total contract Value: \$84,600.00**

**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):**

Based on market research, it was determined that Century Link remains the only responsible source capable of satisfying the VA's requirements. No other contractor can provide the required services because they do not have access to the proprietary technical data within the existing R2 Century Link infrastructure. Another source would require access to the current proprietary infrastructure in order to provide the current LEC services, and failure to access the infrastructure would result in disruption of service of communications systems and life-sustaining medical systems, the inability to share resources within the VISN network, increased maintenance time, increased system blockages, and reduced computer access to patient record databases.

Furthermore if this action were competed, it would create two moves to two different service providers in one year. The first move would be the result of this requirement, and the second would be the result of the transition to the Enterprise-wide LEC multiple-award, indefinite delivery, indefinite quantity contract.

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

Market Research was conducted, and the effort did not yield any additional sources that can meet the Government's requirements. Therefore there is no anticipated competition for this acquisition. The Government anticipates the award of an Enterprise-wide LEC multiple-award, indefinite delivery, indefinite quantity contract in fiscal year 2015, where future LEC orders will be competed. If that effort is completed prior to exercising the options on this contract, VA would not award the option periods and transition to the new contract.

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

An analysis of previous years indicates that the projected pricing is very similar to historical pricing. For FY 14, the VA made award to Qwest Government Services for \$28,950 a quarter for these services. The projected award price is in fact 2.66% lower than last year's pricing. Furthermore open-market pricing in the state of Wisconsin is governed by tariffs agreed upon by the vendor and the Public Service Commission. It is therefore anticipated that the pricing will be considered fair and reasonable.

**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 only Century Link can provide LEC services to the Tomah VA Medical Center and the La Crosse Clinic. Qwest Government Services DBA Century Link owns the LEC infrastructure that is currently in place at the Tomah VA Medical Center. Therefore only one source can satisfy the Government's requirement. Also this procurement must proceed as an open-market sole-source as local contracting offices do not have the authority to create task orders off of GSA Networkx contracts.

**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:**

None

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:**

When these telecommunication requirement transition to the TAC, the TAC will be able to compete entire VISNS or Regions between the 3 major telecommunication carriers. That contracting scenario will foster competition and should offer substantial cost-savings to the Government.

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.

mark.zumbrun  
nen@va.gov

Digitally signed by  
mark.zumbrunnen@va.gov  
DN: cn=mark.zumbrunnen@va.gov  
Date: 2014.09.05 15:37:29 -05'00'

Name: Mark ZumBrunnen  
Title: COR  
Facility: Tomah VAMC 676

\_\_\_\_\_  
Date 09/05/2014

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.

Ashley Johnson  
Ashley Johnson  
Name  
Title Contracting officer  
Facility GLAC

9/5/14  
\_\_\_\_\_  
Date

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

S. Zug for DOC  
\_\_\_\_\_  
Name  
Network Contract Manager  
VISN 12

9-5-14  
\_\_\_\_\_  
Date

Title  
Facility