

**JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION**

**1. CONTRACTING ACTIVITY:**

The Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Strategic Acquisition Center - Fredericksburg  
10300 Spotsylvania Avenue  
Fredericksburg, VA 22408

**2. DESCRIPTION OF THE ACTION BEING APPROVED:**

The action required to be approved under this J&A is for the award of a contract on a sole source basis for planning, scheduling, coordinating event administration, and implementation of an Event Management Services (EMServices) software system in support of the Annual National Veterans Small Business Engagement (NVSBE). This sole source contract is to be awarded to My Business Matches (MBM), Inc. located at P.O. Box 40008, San Antonio, Texas 78229. This award to a sole source Small Business (SB) contract valued at more than \$150,000 and less than \$6,500,000 for the Annual National Veterans Small Business Engagement (NVSBE) in providing planning, scheduling, coordinating event administration, and implementation; to include providing for an Event Management Services (EMServices) software system. The award is anticipated to be a Firm Fixed Price (FFP) contract on a sole-source basis to a SB not on the General Service Administration (GSA) and Federal Supply Schedule (FSS).

**3. DESCRIPTION OF SUPPLIES OR SERVICES (INCLUDING ESTIMATED OPTIONS):**

The Office of Small and Disadvantaged Business Utilization (OSDBU), (hereafter referred to as the Requesting Service) has identified a need for continued professional support services, as defined in FAR Part 2.101 [hereafter referred to as National Veterans Small Business Engagement (NVSBE) to include an Event Management Services (EMServices) system], in order to meet required strategic objectives and goals of the Department of Veterans Administration;

- a. The Requesting Service requires professional support services for the National Veterans Small Business Engagement (NVSBE), a component of the overall Veteran Affairs Direct Access Program (DAP), which brings Small Businesses (SB) together with Procurement Decision Maker (PDM). The strategic goal is to facilitate a meaningful dialogue and to identify business opportunities for small business across the Department of Veteran Affairs, the Department of Defense, other Federal Agencies, and commercial entities. This required action includes an event management services system and software service (Software as a Service (SaaS)), to address expanded mission requirements, and modified mission parameters to address changes in the event execution environment.
- b. The period of performance for services support shall be three (3) months from date of award.

- c. The total estimated contract value of the proposed action is \$998,000.00.
- d. Concerning the estimated value of this requirement, the required services will fall within the statutory threshold for requiring approval at the Competition Advocate level of \$650,000 but does not exceed \$12.5 million IAW FAR Part 13.501(a)(2)(ii).

#### 4. STATUTORY AUTHORITY:

In accordance with (IAW) Federal Acquisition Regulation FAR 13.501, this procurement is conducted under the authority of the test program for commercial items at 41 U.S.C. 1901.

#### 5. RATIONALE SUPPORTING USE OF THE AUTHORITY CITED:

After conducting market research and a failed attempt to award in a competitive environment, the need for the required professional services were found to be available from the proposed sole source, My Business Matches (MBM), located at P.O. Box 40008, San Antonio, Texas 78229, Office: (210) 858-7379, Point of Contact: Monica Saenz (hereafter referred to as the Original Source). MBM is a verified SB and is technically qualified to fulfill the agency's unique requirement that if awarded to any other source would result in;

- a. Delays in fulfilling the agency's requirements and subsequent award of a contract would result in serious injury, specifically financial, to the Government. A contract was previously awarded for the Annual National Veterans Small Business Engagement (NVSBE), however; the awardee had difficulty at the time of the event to fulfill the requirements mission, which resulted in an unsuccessful engagement for fiscal year 2013 and resources wasted to achieve the Department of Veterans Affairs ultimate strategic objectives and goal. A subsequent effort to solicit the requirement in August 2014 under the VA's Strategic Acquisition Center's (SAC) Event Planning and Event Support (EPES) Blanket Purchase Agreement (BPA) resulted in competition amongst the five (5) BPA holders with three (3) submitting proposals. The three (3) proposals received could not meet the unique requirements and were found to be unacceptable. It was found that the BPA holders were unable to provide an acceptable Event Management Services (EMServices) software system which is crucial to the success of the event. Due to critical time constraints, the Annual NVSBE is scheduled for December 9-11, 2014; further pursuit of competition outside of the overarching EPES BPA is not possible. The period of performance for this requirement is three months and does not exceed the one year limitation under this authority.
- b. MBM has demonstrated, through open presentations with senior program officials, the capabilities to meet the unique requirements within the scope of performance of this requirement. MBM can provide a customized product that will interact with engagement attendees and provide real-time updates and corrections. Some of their unique features include the following:
  - Auto-Pilot (finds sponsors, and handles the logistics that goes into the making of a successful event.
  - Website protected by 256-bit SSL certificate
  - Multi Language site (French, Italian, Japanese and others)

- Stats At a Glance (log-into your admin dashboard to view/track registered participants)
- Phone & Live Chat Support (participants have option for Live Chat during event)
- Allows for suppliers to upload a video and brochure
- Buyer Invite (allows ALL suppliers to send a meeting request to the buyer)
- Manage Buyers/Suppliers (controls all aspect of participants schedules/agendas)
- Manage Matches (instantly cancel or confirm meetings, manage schedules/matches)
- 30-60-90 Follow-up (tracking capability of historical records of meetings with supplier)
- Open and Close Registration (decide when to open or close your event registration)
- Manage Walk-ins (system allows for special online "walk-in" registration/tracks them)
- SMS Technology (notification by text message that a meeting has become available)
- Manage Business Categories (determines matches based on NAICS code or business category)
- E-mail Buyers/Suppliers (sends emails to your registered participants)
- Manage Times & Tables Numbers (instantly assigns table numbers/event times)
- Qualifying Questions (matches between buyers/suppliers by asking detailed questions)
- QR Code Technology (system assigns a unique qr for each registrant)
- iPad Check-In Application (unique one of a kind tool for faster check-in)

c. Delay in award of a contract would result in serious injury, financial or other, to the Government:

**Scenario 1: Cancellation of Event**

- Government will be subject to cancellation fees.
- 140 attendees have booked their hotel reservations and many have purchased non-refundable airline tickets.

**Scenario 2: Delay in execution of following actions:**

- Probable increased cost for airline tickets for VA personnel as well as for attendees. Shorter booking window results in higher costs
- Higher Cost and or inferior equipment and technical labor for:
  - Audio Visual
  - Furniture and equipment
  - Computers

As the window for booking gets shorter other competing shows will have booked the superior equipment and technical staff. A/V, computer, and tradeshow purveyors will be cross-renting equipment and labor from a myriad of sources and locations. This often results in multiple equipment failure.

**Higher cost for Food and Beverage and Catering staff:**

The cost of food and beverage is increasing on a monthly basis. Failure to lock in the menu and costs will results in a substantial increase in expense to the Event Contractor. The trickle down effect to all the Engagement attendees may be a much higher registration cost, since the EC will likely pass on the cost.

**Higher cost for Shuttle services:**

The cost of fuel is increasing on a monthly basis.

**Lower attendance:**

The delay in registration will affect the number and quality of participants. As participants note shifting dates for registration opening they may conclude the event will likely be cancelled and make alternate plans.

**Lack of participation by Senior Leadership:**

The availability of Senior Leadership is in peril as their arrangements must be made many months in advance.

- d. MBM can meet the requirements of this action in the time frame needed and the Requesting Service seeks acceptance of this rationale to facilitate award to a sole source Small Business (SB). Given the restrictions of an extremely lean deadline predicated on such unforeseeable circumstances, to engage in full and open competition with less than three months would be unduly burdensome and most assuredly detrimental to mission capabilities and overall strategic objectives.

**6. EFFORTS TO OBTAIN COMPETITION:**

In accordance with 5.202(a)(2), market research was conducted, details of which are in the market research section of this document. The requirements of this action was competed against the established VA SAC's Enterprise-wide BPA for Event Planning and Event Support on August 14, 2014, and, closed on August 25, 2014. The following three (3) SDVOSBs submitted proposals for consideration:

- a. Pothos, Inc., 2260 El Cajon Blvd, #474, San Diego, CA 92104-1192
- b. American Small Business Alliance, 9030 Red Branch Road STE 190, Columbia, MD 21045-2012
- c. Ian, Evan & Alexander Corporation, 44335 Premier Plaza, STE 200, Ashburn, VA 20147

All submitted proposals were found to be unacceptable. It was found during the Technical Evaluation that the BPA holders were unable to provide an acceptable Event Management Services (EMServices) software system which is crucial to the success of the event.

**7. CONTRACTING OFFICER FAIR AND REASONABLE DETERMINATION:**

I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable based on comparison with the independent Government Cost Estimate (IGCE) as well as a comparison against proposed pricing for the requirement's previous solicitation in which prices were determined fair and reasonable based on adequate competition.

**8. MARKET RESEARCH CONDUCTED:**

- a. IAW FAR Part 10, market research conducted by the OSDBU Requesting Service utilizing the current EPES BPA holders as contractors capable of providing the needed services. The BPA holders have been found to be unacceptable on the bases of not being able to provide the critical electronic Event

Management System needed for a successful event. Additional market research into companies who have previously provided professional event services similar to the current requirement were found to be unable to provide an acceptable Event Management Services (EMServices) software system. The listed contractors below were part of the market research of OSDBU Requesting Services:

- a. Pothos, Inc., 2260 El Cajon Blvd, #474, San Diego, CA 92104-1192
- b. American Small Business Alliance, 9030 Red Branch Road STE 190, Columbia, MD 21045-2012
- c. Ian, Evan & Alexander Corporation, 44335 Premier Plaza, STE 200, Ashburn, VA 20147
- d. National Conferencing, Inc. (NCI) dba FederalConference.Com, 3912 Lansing Court, Dumfries, VA 22026
- e. TCG Consulting, Inc. Address: 2221 Peachtree Road, Suite X22, Atlanta, GA 30309
- f. [POKEN], 228 Hamilton Ave. Palo Alto, CA 94301
- g. [VALADOR], 560 Herndon Pkwy, Herndon, VA 20170
- h. [MICROPAC], 12901 Worldgate Drive # 800 Herndon, VA 20170-6014

**9. OTHER FACTS:**

No additional estimated costs will be required based on the estimated costs associated with fulfilling the requirement need. An award made for this requirement will act as a contingency measure, necessary to ensure continued services support for event management system capabilities; while other matters associated with a related contract are resolved and subsequent re-procurement efforts can be fully executed unhindered. This justification comprises a logical solution and the most expedient remedy to an unforeseen need, permissible by law and regulation.

**10. LISTING OF INTERESTED SOURCES:**

My Business Matches, Inc.  
DUNS: 078608483 CAGE Code: 767X6

8026 Vantage Dr Ste 232  
San Antonio, TX, 78230-4728 ,  
UNITED STATES

Pothos, Inc.  
2260 El Cajon Blvd, #474, San Diego, CA 92104-1192

American Small Business Alliance  
9030 Red Branch Road STE 190, Columbia, MD 21045-2012

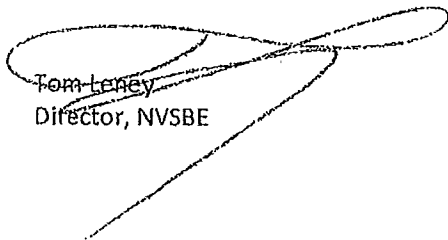
Ian, Evan & Alexander Corporation  
44335 Premier Plaza, STE 200, Ashburn, VA 20147

**11. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION:**

The future Event Planning and Event Support Services (EPES) proposed requirements are intended to have more planning time, thus utilizing the current EPES BPA competitive procedure. Time constraints shall be removed for future similar events.

**12. TECHNICAL REQUIREMENTS CERTIFICATION:**

a. IAW FAR 6.303-2(c) all supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or schedule requirements or other rationale for other than full and open competition) which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel. I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge.

  
Tom Tenney  
Director, NVSBE

9/16/2014  
Date

**13. PROCURING CONTRACTING OFFICER CERTIFICATION:**

IAW FAR 6.303-2(b)(12), I certify that this justification is accurate and complete to the best of my knowledge and belief. I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on Government pricing as detailed in the Independent Government Cost Estimate (IGCE).

zachary.wilcox@va.gov  
Digitally signed by zachary.wilcox@va.gov  
DN: cn=zachary.wilcox@va.gov  
Date: 2014.09.16 09:31:00 -04'00'

Zachary Wilcox  
Contracting Officer  
Strategic Acquisition Center

\_\_\_\_\_  
Date

14. LEGAL SUFFICIENCY CERTIFICATION:

a. I have reviewed this justification and find it legally sufficient as to formalities and compliance with the requirements set forth in FAR 13.501(a)(1)(ii) *only*."

Bridget Grant  
Legal Counsel,


BRIDGET E  
GRANT 283232

Digitally signed by BRIDGET E GRANT  
283232  
DN: dc=gov, dc=va, o=Internal,  
ou=people,  
0.9.2342.19200300.100.1.1=bridget.grant  
@va.gov, cn=BRIDGET E GRANT 283232  
Date: 2014.09.16 09:36:09 -04'00'

\_\_\_\_\_  
Date

15. APPROVALS:

a. IAW 13.501(a)(2)(ii) in my role as Contracting Activity Competition Advocate for "Justification approvals over \$650,000 but not exceeding \$12.5 million", based on the foregoing justification, I hereby approve the acquisition of NVSBE services support, pursuant to the authority cited in ¶ 3 above, subject to availability of funds, and provided that the services herein described have otherwise been authorized for acquisition.



Phyllis Bower  
Head of Contracting Activity  
Office of Acquisition Operations

9/19/14  
Date