

JUSTIFICATION  
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
23 Christopher Way  
Eatontown, NJ 07724
2. Description of Action: The proposed action is for a sole source, firm-fixed-price (FFP) task order (TO) under the National Mobile Devices and Service (NMDS) indefinite-delivery, indefinite-quantity (IDIQ) contract for the procurement of brand name Sprint wireless voice and data plans and ancillary mobile devices for VA employees located throughout Office of Information and Technology (OI&T), Service Delivery and Engineering (SDE), Field Operations Region 3. The period of performance for the proposed TO will be one 3-month base period followed by seven 3-month option periods for continued support.
3. Description of the Supplies or Services: The proposed action is for the acquisition of wireless Sprint voice and data plans and ancillary mobile devices for VA employees throughout OI&T Region 3. There are eight sites requiring these services and ancillary mobile devices in Region 3 spread across three states. These eight sites include Orlando VA Medical Center (VAMC) and four of its outlier locations (Clermont Outpatient Clinic (OPC), Viera OPC, Melborne Vet Center, and Lakemont Campus), West Palm Beach VAMC, Louisville VAMC, and Cleveland VAMC. Sprint is not an NMDS contract holder and A&T Systems Inc. is the only authorized reseller of Sprint wireless services and devices under the NMDS contract; therefore, A&T Systems Inc. is the required source. The total estimated price of the proposed action, inclusive of the options, is \$5,302,289.04.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) 16.505(b)(2)(i)(B), entitled, "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: The proposed source for this action is A&T Systems Inc., 12200 Tech Road, Suite 100, Silver Spring, MD 20904-7871. A&T Systems is the only firm that can provide the Sprint voice and data plans and ancillary devices required by VA through the NMDS contract that allows VA to benefit from pooled minutes efficiencies under existing contract terms to avoid or minimize overage charges. Sprint is the only wireless provider who can meet all of VA's functional requirements through A&T Systems under NMDS. Specifically, these functional requirements include providing a signal strength requirement of not less than -100 decibel-milliwatts (dBm) in the interior locations of all eight Region 3 sites specified above. This is due to the fact that the aforementioned eight sites have only Sprint signal enhancers such as antennas and repeaters currently installed. Based on market

research, it would take anywhere from 12 to 24 months to install the appropriate signal enhancers for other wireless providers at all eight sites such that other providers cannot meet current Region 3 requirements. The -100 dBm minimum requirement ensures mobile device users uninterrupted recurring air-time services. Without a signal strength of -100 dBm inside the medical centers, the devices will not perform to an acceptable level. The voice and data features to be included in the proposed TO are heavily relied upon by physicians, therapists, nurses, and campus policing units throughout all eight OI&T Region 3 sites referenced above to coordinate, respond to, treat, and interact with patients and colleagues in the course of delivering benefits and care to Veterans. Failure to provide the -100 dBm minimum requirement will result in these health care professionals not having the capabilities of assured communications and data/information sharing to provide uninterrupted care to Veterans.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized at award on the Federal Business Opportunities Page and the justification will be made publicly available.

7. Actions to Increase Competition: Based on the results of the market research conducted, no other wireless carriers can currently meet the -100 dBm requirement. Future solicitations will include the need for antennas and repeaters to meet the requirement of -100 dBm. This will allow the Government to compete this requirement in the future.

8. Market Research: The Government's technical experts conducted market research in February 2015 by performing onsite testing of devices which utilize the wireless service of another carrier. Specifically, devices using AT&T wireless and data service were tested at all eight Region 3 sites and the results showed that without the signal enhancers located at the sites the AT&T devices did not meet VA's functional signal strength requirement of not less than -100 dBm in interior locations of all eight sites. Therefore, as Sprint is the only carrier that can meet VA's functional requirements, they are the only carrier able to meet VA's needs through A&T under the NMDS contract and provide benefits associated with contract terms for pooled minutes.

9. Other Facts: None.