

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

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition Operations
Strategic Acquisition Center – Frederick (SAC-F)
321 Ballenger Center Dr., Suite 125
Frederick, MD 21703
2. Description of Action: This proposed action is for a firm-fixed-price delivery order to procure training and duty ammunition in the support of the mission the VA Law Enforcement Training Center (LETC). This justification is being provided for brand names identified in the Statement of Work to fulfill requirements outlined in FAR 13.501(a)(1)(ii) and 6.303-2(b).
3. Description of Supplies or Services: The proposed action is to acquire 54,500 rounds of duty ammunition for Law Enforcement Training Firearms Instruction and Qualification and VA-LETC Staff Firearms Qualifications.

The duty ammunition must be any of the three brands listed below:

Golden Saber LE 124 GR

Mfg. Item#-GS9MMB
Category- AMMO CENTERFIRE
Caliber – 9mm
Bullet Type – BJHP-Brass jacket hollow point
Bullet Weight – 124 GR
Muzzle Energy – 349 ft. lbs.
Muzzle Velocity- 1125 fps
Rounds/500 per case

Speer LE Gold Dot 124 GR

Mfg. Item# 53618
Caliber- 9mm
Bullet Weight – 124 GR
Bullet Type – GDHP
Muzzle Energy- 364
Muzzle Velocity- 1150
Rounds/500 per case

Federal Premium HST 124 GR

Mfg. Item # P9HST1

VA Law Enforcement Training Center (LETC)

Caliber- 9mm
Bullet Weight- 124 GR
Bullet Type- HST
Muzzle Energy- 364
Muzzle Velocity- 1150
Rounds/500 per case

The total estimated value for this ammunition is [REDACTED]

4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is 41 U.S.C. 1901 Simplified Acquisition Procedures as implemented by the Federal Acquisition Regulation (FAR) Subpart 13.501(a)(1)(ii) for brand name justification under the authority of the test program of commercial items. This is not a sole source procurement.
5. Rationale Supporting Use of Authority Cited: This is a brand name justification is support of FAR 11.105, Items Peculiar to One Manufacturer.

Per training unit 18 and the Standard Operating Procedures in the Office of Security and Preparedness (OSP), the type of duty ammunition specified are the only munitions approved for use as duty ammunition for VA Police Officers. Due to the difficulty in procuring the Remington Golden Saber and factory production times, the VA-LETC performed independent ballistic testing of ammunition for alternate approved sources for duty ammunition. The ballistics testing was performed by the VA-LETC using FBI protocol. The results of the testing appear in Attachment A. As a result of the independent testing, the Speer LE Gold Dot 124 gr and Federal Premium HST 124 gr have been approved for use by VA Police Officers for duty ammunition, as well as the Remington Golden Saber.

6. Efforts to Obtain Competition: The technical team conducted market research via RFQ. Vendors that had expressed prior interest in this procurement were sent a sources sought request for quote with Service-Disabled Veteran-Owned Small Businesses being targeted. [REDACTED]

In accordance with FAR 13.501(a)(1)(iv), a copy of this justification will be made publicly available with the solicitation in accordance with FAR 5.102(a)(6).

VA Law Enforcement Training Center (LETC)

7. Determination of Fair and Reasonable Cost: It is the expectation that the anticipated cost to the Government will be fair and reasonable. The ammunition required by this solicitation is considered a commercial item and available in the commercial marketplace. Pricing for these brands is available through a number of published catalogs. In addition, there is historical pricing available from a previous contracting vehicle scheduled to expire September 30, 2015, which included the Remington brand ammunition.

8. Market Research: The following market research was performed:

A market research/sources sought RFQ was sent to the following vendors:



VA Law Enforcement Training Center (LETC)

A check of GSA Advantage was conducted, but there were not any SINS identified for ammunition.

9. Other facts: Not Applicable.

10. Listing of Interested Sources:

[REDACTED]

11. Actions to Increase Competition: The Program Office conducted additional research for ammunition that meets specified criteria matching FBI protocol for this current procurement. In doing so, it was able to increase the selection of ammunition from one to three. The Program Office will continue to conduct market research for additional brands of ammunition that can meet criteria; however, unless the FBI revises its protocol or additional ammunition meeting the criteria is introduced to the marketplace, there are no other actions that could be considered to overcome barriers to competition.

12. Technical and Requirements Certification: 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 and belief.

[REDACTED]

13. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on fair opportunity.

[REDACTED]

14. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 13.5019a)(2)(i) serves as approval.

[REDACTED]