

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1**  
(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements ***explaining the absence of competition*** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

**1. PURCHASE REQUEST OR REQUISITION NUMBER:**  
**VA260-15-P-0477**

**1A. PROJECT/TASK  
NUMBER**  
N/A

**1B. ESTIMATED AMOUNT:**

**2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:**

LEC (Voice) Services for the Dalhart, TX and Hobbs, NM CBOCs. Both are covered under the Windstream (Paetec) Communications footprint. This is a 3-month bridge until the TAC can execute the new requirement.

**3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:**

Based on extensive market research, it is determined that Windstream (Paetec) Communications remains the only responsible source capable of satisfying the VA requirement. No other contractor can provide the required services as they do not have access to the proprietary technical data within the existing Region 1 infrastructure; only Windstream (Paetec) Communications does. The VA does not own the proprietary LEC outside plant and any other source would require access to the current proprietary infrastructure in order to provide the current LEC services. If this action were competed, it could potentially create two moves to two different service providers in a one year period. The first possible move would be the result of this requirement, and the second possible move would be the result of the transition to the Enterprise-wide LEC multiple-award, indefinite delivery, indefinite quantity contract. This would involve a transition period of up to 120 days for each change in service provider. This would cause a significant disruption of service to these Facilities.

**4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:**

Failure to access the Windstream (Paetec) Communications infrastructure coupled with disruptions of service would result in significant harm (no phones, no access to data and records, and ultimate harm to patient care).

**5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:**

**Any Other Facts Supporting the Restriction of Competition:**

This is a follow-on contract to an existing contract (VA260-15-P-0477) to provide mandatory LEC services for Region 1 locations. Market research determined this service is commercial in nature; however, see Paragraph 3 as to rationale for sole source determination.

**6. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: Thomas M. Ebenhoh  
996911  
Name: **Thomas M. Ebenhoh**  
Title: **Contracting Officer**  
Facility: **NCO 20**

Digitally signed by Thomas M. Ebenhoh 996911  
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0.9.2342.19200300.100.1.1=thomas.ebenhoh@va.gov, cn=Thomas M.  
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Date: 2015.09.22 13:50:49 -0700

**Date: 22 September 2015**