

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

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 firm-fixed-price modification (P00006) to Contract Number VA118-15-C-0090 with Integra Telecom, to extend the period of performance for telecommunication voice services.
3. Description of Supplies or Services: The proposed action is for telecommunication voiceservices for VA Region 1 Telecommunications Business Office Integra Telecom infrastructure installed at 250 VA Medical Centers (VAMC), Community-Based Outpatient Clinics (CBOC), or hospitals located across Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming. These services include plain old telephone service (POTS), Primary Rate Integrated Services Digital Network (PRI) service, Direct Inward Dialing numbers, Caller ID (name and number) feature (POTS Line and PRI Circuit (23B+D)), Call Wait feature, Voicemail feature, Call Hunting/Roll over feature, Primary inter-Local access and transport area and Carrier provisioning. Services are currently being provided on several accounts, under contract VA118-15-C-0090. The Contractor shall provide telecommunication services at each facility 24 hours per day, 7 days per week maximum service availability. The extended period of performance for this action is May 1, 2016 through September 30, 2016. The dollar value for this action is [REDACTED]
4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C.3304(a)(1) as implemented by Federal Acquisition Regulation (FAR) 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."
5. Rationale Supporting Use of Authority Cited Above: The proposed source is Integra Telecom, Inc. 18110 SE 34th Street, Building 1, Suite 100, Vancouver, Washington, 98683. Based on market research, as described in section 8 of this justification, it has been determined that only Integra Telecom, Inc. is capable of providing the required telecommunication voice services listed above. Due to the type of services that are currently installed, no other vendor can get new services installed, tested, and turned up expeditiously to meet mission requirements. Region 1 TBO has transitioned 95% of the existing services onto the National LEC but the remaining services will need to be solicited on fbo.gov. Any other vendor would require approximately 90-120 days to create a process to provide the aforementioned services. Specifically, any other source would have to conduct site visits at the required locations and conduct extensive reviews of the specific site to gain the knowledge required to begin the process of creating an environment that is needed to provide the service to VA. A contractor then needs to begin testing to ensure the service is fully compliant with VA's current

environment before it can be implemented. Furthermore, Integra Telecom infrastructure is the owner of the circuits (the direct service provider). Any other source could only provide this service as an intermediary, meaning that they will contract with the direct provider, then invoice VA for the services and potentially add in a handling fee for sending VA a bill. Any other source, including resellers, will not actually provide any service other than billing. By using the direct service provider, VA will be able to contact the provider directly for service or billing related issues. If VA were to use any other source, VA would have to contact the reseller for assistance and wait for them to contact the actual provider, then respond to VA. Contracting with the actual service provider is imperative to VA operations during outages when service needs to be restored in accordance with the Performance Metrics listed in the Performance Work Statement section 6.3 which includes the following for service request response time, a qualified technician must respond within one hour of a service request, 99.9 percent of the time; telecommunication availability (uptime) shall be 24 hours per day, 7 days per week., 99.9 percent of the time; telecommunication service restoration shall be completed with 24 hours, 100 percent of the time; and, the Contractor shall respond to a major system failure within one hour of notification, 100 percent of the time. Resellers cannot meet these performance metrics as they are not the actual provider of the services, but merely add another layer to the escalation matrix which adds additional time/delays for restoration. This also provides confusion at the medical facilities where the services are installed during a crisis as the facilities will want to contact the actual provider and, with a reseller, they will not be able to do this.

Additionally, VA requires Telephone Service Priority (TSP) on some phone lines and circuits. TSP is a program that authorizes national security and emergency preparedness (NS/EP) organizations to receive priority treatment for vital voice and data circuits or other telecommunications services as a result of hurricanes, floods, earthquakes, and other natural or man-made disasters. The TSP Program requires service vendors to prioritize requests by identifying those services critical to NS/EP based on the Federal Communications Commission mandate (Reference: 88-341). A TSP assignment ensures VA shall receive priority attention by the service vendor before any and all non-TSP services. TSP is a service provided in accordance with guidelines set by the Department of Homeland Security. Through TSP, the Government receives a special code that is added to the services and provides priority services for restoration and provisioning should the need arise. TSP provides the Government the ability to have priority over a department store or grocery store. The Government will be fourth in line to have services restored only after the Office of the President, Police Departments, and Fire/Emergency Medical Service Departments should they be needed due to natural or unexpected disasters. When resellers purchase the services from the direct provider that they will resell to VA, the reseller becomes the "customer of record." As resellers are not eligible for TSP, when they are the "customer of record" they cannot provide TSP to VA.

Furthermore, a contractual relationship with the direct service provider (Integra Telecom, Inc.) prohibits disconnection of services to a Government medical facility without prior authorization. While resellers may be able to provide the telecommunication services, they cannot list VA as the "customer of record" thereby

causing delay in service restoration in time of crisis which could result in direct impact to Veteran patient care. In addition, services can be disconnected when the resellers are listed as the "customer of record" and, not the Government, which will be catastrophic.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the section 8 of this justification. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsisized on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: VA is currently preparing the acquisition requirements package for a competitive award on the fbo.gov website for the aforementioned LEC telecommunication and data services. The anticipated award date is August 31, 2016. The current LEC telecommunication and Voice services with Integra Telecom infrastructure will have to be maintained for 30 days after this date to ensure that the new awardee has enough time to transition.

8. Market Research: Market Research was conducted in September 2015 by posting a request for information (RFI) on the Federal Business Opportunities page. The RFI was posted on September 15, 2015 seeking sources that could provide the coverage and services for the locations listed above with no interruption to services. The RFI closed on September 22, 2015 with no responses. Based on this market research, it was determined that only Integra Telecom infrastructure has the ability to provide the aforementioned LEC telecommunications and data services until a new vendor is selected via competitive acquisition on the National LEC contract.

9. Other Facts:

None

10. 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.

11. 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 analysis of the proposal against the Independent Government Cost Estimate and historical pricing data.

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

