

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Network Contracting Office NCO-8, Department of Veterans Affairs, VISN 08, 675 - Orlando VA Medical Center, Orlando FL. 675-16-4-5407-0085. incorporate
2. **Nature and/or Description of the Action Being Processed:** The proposed action is for a 7 month contract for the Managed Zone Core (MZC) service to provide the VA Police radio communication throughout corporate Orlando campuses. This will be a Firm-Fixed Service contract and the proposed awardee is Cynergy Professional Systems, LLC, a Service Disabled Veteran Owned Small Business (SDVOSB) concern. DUNS: 832018290.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This is a service based contract for the VA Police Radio MZC system that provides communication for the officers throughout corporate Orlando Campuses. Without the MZC service the Police will not have radio communication and are at greater risk in such scenario as an active shooter, or hurricane damage.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - () (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - (X) (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**
Authority under 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007

819.7007 Sole source awards to service-disabled Veteran-owned small business concerns.

(a) A contracting officer may award contracts to SDVOSB concerns on a sole source basis provided:

- (1) The anticipated award price of the contract (including options) will not exceed \$5 million;
- (2) The requirement is synopsised in accordance with FAR part 5;
- (3) The SDVOSB concern has been determined to be a responsible contractor with respect to performance; and
- (4) Award can be made at a fair and reasonable price.

(b) The contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required.

(c) When conducting a SDVOSB sole source acquisition, the contracting officer shall ensure businesses are registered and verified as eligible in the VIP database prior to making an award.

The estimated award amount is \$116,530.75. A special notice announcing the contract action will be posted to FEDBIZOPPs as required per VAAR 819.7007. The approved J&A document will be posted to FEDBIZOPPs within 14 days after award as per FAR 6.305. The award synopsis will be posted to FEDBIZOPPs per FAR 5.301(a) (2). A separate determination of the contractor's responsibility has been made in accordance with FAR 9. A sole source award is proposed pending negotiation of a fair & reasonable price.

The CO is recommending an SDVOSB sole source to Innovative Cynergy Professional Systems, LLC under the authority of 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007 to ensure the continuation of MZC service for the VA Police and to ensure the safety of the VA Police, employees, and veterans.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

While there are other contractors in Vetbiz.gov, a determination that only one SDVOSB concern is available to meet the requirement is not required per the authorities cited in paragraph 5. The Contracting Officer has determined that Cynergy Professional Systems, LLC is qualified as a SDVOSB; and will provide excellent service.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The anticipated cost to the Government is \$116,530.75 for 7 months which is a lower monthly rate than that previously provided by Affigent based on a competed SEWP order number NNG07DA19B/VA248-12-F-3698. Awarding to Cynergy Professional Systems, LLC under the authority of 38 USC 8127-8128 (Sections 502 and 503 of Public Law (P.L.) 109-461), FAR Part 6.302-5(b) (6), and VAAR 819.7007 will ensure the continuation of MZC service for the Orlando VA Police throughout corporate Orlando campuses.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The VIP database was queried in accordance with VAAR 810.001, Market Research policy. Cynergy Professional Systems, LLC is listed in the VIP database along with other multiple SDVOSB concerns.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A

Per authorities cited in paragraph 5, the contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Multiple SDVOSBs exist in the VIP database; however, the contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required. The CO has determined a sole source award is in the best interest of the VA.

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

Any future requirements for MZC services will be competed.

12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance,

which are included in the justification, are accurate and complete to the best of my knowledge and belief.

[Redacted]
[Redacted]
[Redacted]
VA Police, [Redacted]
Orlando VAMC

Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[Redacted]
[Redacted]
[Redacted]
Contracting Officer
NCO 8, Services Team Orlando

DN: dc=gov, dc=va, o=internal, ou=people,
0.9.23 [Redacted]
Date: 2016.09.07 17:01:22 -04'00'

Date

- b. **Director of Contracting /Designee (Required \$150K and above):** I certify the justification meets requirements for other than full and open competition.

[Redacted]
[Redacted]
[Redacted]

Date