

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval Under Simplified Acquisition Procedures (SAP) For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 20 American Lake Division, for the Portland VA Medical Center (PVAMC), 3710 SW U.S. Veterans Hospital Road, Portland, OR, 97239.
2. **Nature of the Action Being Processed:** This procurement is for Emergency Radio Access for the Portland VA Medical Center. A new, firm-fixed-price type contract is anticipated.
3. **Description of Supplies or Services Required to Meet the Agency's Needs:** The purchase request for this procurement is PR# 648-12-1-5106-0009.

The Portland VA Medical center owns 72 800 MHz emergency radios and requires radio licensing with the current 800 MHz provider to coordinate local, state, and federal agencies in the event of a disaster or emergency. This band is also used primarily by the VA police in the normal performance of their job, and in the mobile units (automobiles). The FCC has set aside the SMR 800 MHz band for these emergency communications. All devices are required to be licensed to transmit by federal law. The City of Portland provides this service for the municipal emergency communications and the surrounding counties.

The total anticipated dollar value is \$36,746.81. The period of performance is 10/1/11 - 09/30/2012.

4. **Statutory Authority Permitting Restriction in Competition:** The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1). The specific reason for restricting competition is only one responsible source available. This justification is where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2, IAW the VHA SOP for Other Than Full And Open Competition dated 3-22-2011.
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The Portland VA Medical center owns 72 800 MHz emergency radios and requires radio licensing with the current 800 MHz provider to coordinate local, state, and federal agencies in the event of a disaster or emergency. This band is also used primarily by the VA police in the normal performance of their job, and in the mobile units (automobiles). The FCC has set aside the SMR 800 MHz band for these emergency communications. All devices are

required to be licensed to transmit by federal law. The City of Portland provides this service for the municipal emergency communications and the surrounding counties.

6. **Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:** As part of the National Emergency Communications Plan (NECP), this provider is the only source available for the 800 MHz SMR band in this municipality. The DHS' Office of Emergency Communications (OEC) was contacted to determine if other sources are available. There are 75 urban and metropolitan areas, unfortunately only one city lies within the area of the Portland VA Medical Center area.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:** The anticipated total dollar amount of the proposed acquisition is \$36,746.81. This is based on an annual period from 10/01/2011 – 09/30/2012. [REDACTED]
8. **Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):**  
No further market research efforts were made for this project, as City of Portland has been the only viable source to provide the required services.
9. **Any Other Facts Supporting the Restriction of Competition:**  
Region 35 (Oregon) has the City of Portland's ComNet. The city of Portland is the only source that can provide services to support this region.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
11. **Statement of 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:** If the VA could build its own network in the state, and could obtain the land and right of way's, tower's, transmitters, it may be an option. However, the VA would still have to pay for the FCC licensing permit. If other sources become available, all efforts will be made to determine if other sources can be used.

**12. Requirements Certification - IAW FAR 6.303-2(c):**

I certify that the requirement outlined in this justification is a bonafide 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.

  
Name: Eric Lyerla

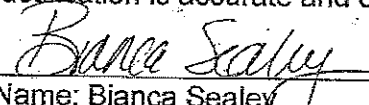
Date

4/9/2012

Position: Chief, FMS, Maintenance and Repair

**13. Approvals IAW VHA SOP 3.22.11:**

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

  
Name: Bianca Sealey  
Contracting Officer  
NCO 20 Services Acquisitions Team

Date

4/9/2012

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

  
NCO 20 Team Manager

Date

4/9/2012