

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

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 sole source, firm-fixed-price (FFP) task order (TO) to be issued under the National Mobile Devices and Service (NMDS) indefinite-delivery, indefinite-quantity (IDIQ) contract for the procurement of brand name Sprint wireless voice and data plans and ancillary mobile devices for VA employees located throughout Office of Information and Technology (OI&T), Information Technology Operations and Service (ITOPS), End User Operations Region 2.
3. Description of the Supplies or Services: The proposed action is for the acquisition of wireless Sprint voice and data plans and approximately 3,300 ancillary mobile devices for VA employees throughout Region 2. There are six sites requiring these services and ancillary mobile devices in Region 2 spread across four states. These six sites include Jesse Brown VA Medical Center (VAMC), Captain James A. Lovell Federal Health Care Center, Edward Hines Jr. VAMC, Clement J. Zablocki VAMC, John Cochran VAMC, and Minneapolis VAMC. Sprint is not an NMDS contract holder and A&T Systems Inc. is the only authorized reseller of Sprint wireless services and devices under the NMDS contract; therefore, A&T Systems Inc. is the required source. The period of performance for the proposed TO is for one 12-month base period followed by one two-month option period for continued support.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) 16.505(b)(2)(i)(B), entitled, "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: The proposed source for this action is A&T Systems, 12200 Tech Road, Suite 100, Silver Spring, MD 20904-7871. A&T Systems is the only firm that can provide the Sprint voice and data plans and ancillary devices, required by VA since they are the only reseller of Sprint wireless devices and services on NMDS and Sprint does not directly sell services to the Government. The NMDS contract allows VA to benefit from pooled minutes efficiencies under existing contract terms to avoid or minimize overage charges. Sprint is the only wireless provider who can meet all of VA's functional requirements through A&T under NMDS. Specifically, these functional requirements include providing a signal strength requirement of not less than -100 decibel-milliwatts (dBm) in the interior locations of all six Region 2 sites specified above. This is due to the fact that the aforementioned six sites have only Sprint signal enhancers such as antennas and repeaters currently installed. Based on market research, it would take anywhere from 12 to 24 months to install the appropriate signal enhancers for other wireless providers at all six sites such

that other providers cannot meet current Region 2 requirements. The -100 dBm minimum requirement ensures mobile device user's uninterrupted recurring air-time services. Without achieving signal strength of -100 dBm inside the medical centers, the devices will not meet VA's functional requirements. The voice and data features to be included in the proposed TO are relied upon by physicians, therapists, nurses, and campus policing units throughout all six OI&T Region 2 sites referenced above to coordinate, respond to, treat, and interact with patients and colleagues in the course of delivering benefits and care to Veterans. Failure to provide the -100 dBm minimum requirement will result in these health care professionals not having the capabilities of assured communications and data/information sharing to provide uninterrupted and timely care to Veterans.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), the notice of award for this will be synopsisized on the Federal Business Opportunities Page and this justification will be made publicly available within 14 days of award.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for the requirements described herein, VA will continue to perform market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.

8. Market Research: Region 2 technical experts conducted market research in November 2016 by performing onsite testing of devices which utilize the wireless service of another carrier. Specifically, devices using AT&T and Verizon wireless voice and data services were tested at all six Region 2 sites and the results showed that without signal enhancement at the sites AT&T and Verizon devices did not meet VA's functional signal strength requirement of not less than -100 decibel-milliwatts (dBm) in interior locations of all six sites, including portions of buildings receiving no signal at all. If AT&T or Verizon were to begin the process of installing enhancers, they would not be up and running for at least 12 months. Therefore, as Sprint is the only carrier that can meet VA's functional requirements, they are the only carrier able to meet VA's needs through A&T under the NMDS contract and provide benefits associated with contract terms for discounts and avoidance of overage charges associated with pooled minutes.

9. Other Facts: Other geographic areas in Region 2 were previously justified to be sole source to A&T Systems for Sprint wireless services for 13 sites in December of 2014. Since this time, other carriers have installed Distributed Antenna Systems or improved their coverage at seven of these locations. Therefore, these seven locations are not included in this justification and have been competed amongst NMDS contract holders.