

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA256-17-AP-7111 and VA256-17-AP-7113

1. **Contracting Activity:** The agency responsible for this acquisition is: The Department of Veteran Affairs, NCO 16, Division II, Supply Team in support of the Gulf Coast Veterans HealthCare System, Biloxi, MS Purchase Request Numbers is 520-17-3-431-0014 and 520-17-3-431-0018.
2. **Nature and/or Description of the Action Being Processed:** The contract action contemplated is a competitive firm fixed price Purchase Order IAW FAR 13.5 to procure additional radio equipment which is fully compatible with existing Motorola infrastructure used by GCVHCS which operate on the state of Mississippi and the Department of Homeland Security Digital Radio Trunking System (DTRS)

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for a simplified firm fixed price Purchase Order in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The procurement is to provide 37 APX6000 DIGITAL PORTABLE RADIOS (30ea will be H98KGF9PW6BN and 7ea will be H98KGF9PW6AN) along with applicable software and support equipment at a price of approximately \$250,000.00.

Statutory Authority Permitting Other than Full and Open Competition:

- (X) (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
- () (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;

FAR13.5 Simplified Procedures for Certain Commercial Items: The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

4. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The equipment being acquired

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is 100% compatible with the existing Motorola infrastructure and architecture. The radios are dual-band, P25 compliant. Smartzone equipped and allows for over-the-air software rekeying and programming. This procurement is a follow-on to previous procurements of Motorola equipment. Procurement of other brands would require a significant duplication of cost to procure specialized base stations, chargers, and other support equipment which is already in use.

5. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: This is a brand name justification only. This procurement should allow for competition within Motorola distributors and suppliers.

6. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: There is competition anticipated for this procurement, even though it is a Brand Name Motorola procurement. Motorola is the most widely used and sold brand in the market. Competition among authorized Motorola providers will allow for a clear determination of fair and reasonable pricing.

7. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Market Research was conducted by the users. They found a Small Business on the Gulf Coast which could fulfil the requirement. Further Market Research by the Contracting Officer showed a Service Disabled Veteran Owned Small Business capable of providing Motorola products to the Engineering Department at the GCVHCS. Further Market Research using FPDS revealed two more Veteran-Owned Small Businesses which have fulfilled similar requirements for the VA in recent years.

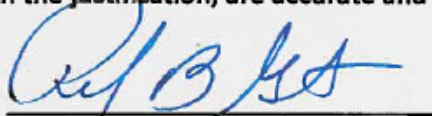
8. Any Other Facts Supporting the Use of Other than Full and Open Competition: This additional radio equipment is necessary to be able to seamlessly interface with existing Motorola infrastructure used by GCVHCS, the State of Mississippi and the Department of Homeland Security. GCVHCS relies upon two digital radio trunking systems (DRTS), one managed by the State of Mississippi using the 7/800 MHz bands and the other managed by DHS using the UHF Narrowbands as required by the National Telecommunications and Information Administration (NTIA) narrow band mandate. Combined, these systems provide reliable local and state-wide communications capabilities for law enforcement, Emergency Management, Fire, EMS, Hospitals and a variety of Federal agencies. Users of this radio equipment must be able to make contact with emergency dispatchers without wait time. The equipment being procured will provide the necessary amount of channels/talk groups to fully meet agency needs. As these radios are dual-band capable, personnel will only have to carry one radio to communicate on both DTRS's. Otherwise, Officers would have to carry two radios to communicate on the frequency bands. Additionally, these radios are equipped with "over-the-air-rekeying" (OTAR) which allows for remote system reconfigurations, updates and programming via radio signal (i.e., over the air). This significantly reduces radio down-time and all associated costs with having Motorola technicians manually perform these tasks one radio at a time at an off-site location. Using radio equipment that is not 100% compatible with existing agencies would jeopardize the ability of Veterans, staff, and visitors to receiving prompt emergency services.

9. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: This is a brand name justification only. Competition among providers of Motorola will provide interest in the procurement.

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10.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: We will continue to survey the market for compatible radio equipment for use by the VA Police, Fire, EMS and other emergency service providers.

11. 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.



Raymond B. Groat
Chief, Police Service
Gulf Coast Veterans HCS

06/14/2017
Date

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

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

Paul G Filhiol 664375
Digitally signed by Paul G Filhiol 664375
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0.9.2342.19200300.100.1.1=paul.filhiol@va.gov, cn=Paul G Filhiol
664375
Date: 2017.07.13 08:24:10 -0500
PAUL FILHIOL
Contracting Officer
NCO 16 DIV II Supply Team

7/13/2017

Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

AARON VILLALPANDO 178014
Digitally signed by AARON VILLALPANDO
178014
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va.gov, cn=AARON VILLALPANDO 178014
Date: 2017.07.17 08:30:12 -0500
Name
NCO/PCO XX Director of Contracting or Designee
Facility

Date