

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA248-17-AP-11067

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 8, NF/SG Commodities Team in Gainesville, FL 32601. This is a Justification for Other Than Full and Open Competition for Brand Name.
2. **Nature and/or Description of the Action Being Processed:** This is a new Firm Fixed Price request for brand name police radio equipment. This requirement includes upgrades as needed for two (2) NF/SG VHS medical centers to ensure full integration with existing equipment. For potential emergency operations VA Police radio systems require interoperability at Tallahassee VA Healthcare Center and Lake City VA Medical Center. This requirement includes equipment, associated accessories, installation, system interfacing/ integration, configuration and software updates for the Motorola APX 8000 series radios.

This procurement is for police radio equipment 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:** NF/SG VHS facilities have a need to purchase police radio equipment, installation, software, and radio frequency field testing and radio system integration via government provided IP network for VA Medical Center Police Service K2 Core site. The equipment required includes portable and mobile radios, battery chargers, hand held microphones, dispatch console, antennas, software, licenses and other accessories. Software upgrades to K2 Core site will be required to enable interoperability. The equipment shall be Project 25 compliant (standards for digital radio communications for use by federal, state/province and local Public safety organizations in North America) enabling radio communications with internal and outside emergency responders, police and fire rescue. The estimated total cost of this contract is \$902,094.19 which includes \$447,382.00 for equipment costs, \$327,672.89 for system upgrades and \$127,039.30 for system configuration.
4. **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;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** An exception pursuant to FAR 13.106-1(b)(2) is requested to meet this brand name requirement. Brand name manufacturer (Motorola Solutions) is required as NF/SG VHS already contains the Motorola K2 Core Radio system. Meeting the specific product specification of the Motorola Solutions Radio System will allow VA Police compatibility and interoperability with the current existing Police Radio Systems. The equipment must be compatible in form, fit and function with the presently installed Motorola ASTRO K2 Core equipment. Choosing an alternative manufacture would require maintaining separate radio talk groups for other VA Police (multiple) sites and would invalidate and jeopardize Advanced Encryption Standards due to differences in software compatibility as no other radio manufacturer can connect with the current SafeNet™ software being used within NF/SG VHS. Separate maintenance contracts would also be required thereby increasing cost to maintain different manufactures radios within NF/SG VHS. During researching options to determine if another vendor could fulfill this requirement, HARRIS, KENWOOD and TAIT with similar products were evaluated and it was determined that they do not meet the requirements for full compatibility with the existing Motorola ASTRO K2 Core equipment. Further, the current NICE call Log Recorder is not licensed for use with all other manufacturers. A critical government need is security. The security features of other brand radios lack the single key Advance Digital Privacy encryption for secure messaging. For another manufacturers radio system to be considered with acceptable security features the existing Motorola ASTRO K2 Core equipment would need to be completely replaced. The Motorola GTR 8000 maximizes the VA's past investment with more software migrations options than any other industry base radio manufacture. The Motorola GTR 8000 can migrate from analog conventional through TDMA trunking with software upgrades. Harris and Tait systems both require customers to purchase new base radios. Therefore, Motorola is the only manufacturer capable of providing the equipment described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market Research shows that there are numerous distributors authorized to sell and install Motorola radio systems. This requirement will be posted along with the approved Brand Name Justification on the Federal Business Opportunities website to ensure maximum competition will be obtained.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** A competitive procurement is anticipated; thus, the resulting price will be deemed fair and reasonable per FAR 13.106(3)(a)(1) as there is a reasonable expectation to obtain two or more offers during solicitation.
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 searched to find possible sources able to provide this equipment. There are multiple sources listed within VIP that can provide the needed

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

items listed under NAICS code 334310 and keyword "radio". The VIP search revealed there are a total of 23 vendors listed in VIP who meet the searched criteria. Of the 23 vendors 19 are SDVOSB concerns and 4 are VOSB concerns which meets the rule of two requirements. An RFI email was sent to all 23 vendors on August 10, 2016 to determine how many vendors would be able to provide the needed items. The RFI resulted in 5 replies returned from Service Disabled Veteran Owned Small Business [SDVOSB] concerns. Of the 5 replies returned 4 stated they could meet the needs of the government as authorized distributors of Motorola radio equipment. Additionally, documentation from the manufacturer identifying authorized SDVOSB distributors is on file

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None

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

- a. Fedstore Corporation, 1 Research Court, Suite 450, Rockville, MD 20850. [SDVOSB]
- b. Cynergy Professional Systems, LLC., 23187 La Cadena Dr, Suite 102, Laguna Hills, CA 92653. [SDVOSB]
- c. Microtech, 8330 Boon Blvd, Suite 600, Vienna, VA 22182. [SDVOSB]

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: The only way the organization may overcome the barrier to brand restriction is by investing in all new equipment which is not a financially sound decision currently. If this need shall arise again in the future the market will be reevaluated to determine if the brand name restrictions still apply.

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.