

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA252-18-AP-4513

1. Contracting Activity:

Department of Veterans Affairs, VISN 12, Jesse Brown VA Medical Center, 2237 number 537-18-2-969-0169.

2. Nature and/or Description of the Action Being Processed:

This action is a one time purchase using Urgent and Compelling procedures IAW FAR 6.302-2. This action will be awarded as a new Firm Fixed Price contract.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

The camera system for Jesse Brown VA Medical Center (VAMC) was found to be beyond economical repair on March 13, 2018. The impact of the facility being without cameras is putting Veterans and staff at risk, as the Police Service does not have enough man power to secure all entry points of JBVAMC (main entrances and docks), waiting rooms, stairwells, etc. With the absence of the camera surveillance system the facility is also vulnerable for theft and other criminal activities. The required supplies are camera licenses, rackmounts, shelves, server/storage, and PC workstations all with full system connectivity.

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;

(X) (2) Unusual and Compelling Urgency per FAR 6.302-2; Citations: 10 U.S.C. 2304(c)(2) or 41 U.S.C. 3304(a)(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):

The camera system for Jesse Brown VA Medical Center (VAMC) was found to be beyond economical repair on March 13, 2018. The required supplies are camera licenses, rackmounts, shelves, server/storage, and PC workstations all with full system connectivity. Tech Electronics is a local company known to be capable of meeting the minimum requirements of the Government, which includes meeting the facility's short timeline due to the Urgent and Compelling need. The impact of the facility being without cameras is putting Veterans and staff at risk, as the Police Service does not have enough man power to secure all entry points of JBVAMC (main entrances and docks), waiting rooms, stairwells, etc. With the absence of the camera surveillance system the facility is also vulnerable for theft and other criminal activities. Because Tech Electronics is known, available, and can rapidly deploy a system to meet the minimum requirements of the VA, it has been determined

to be in the best interest of the Government to proceed with an immediate award IAW FAR 6.302-2.

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

The Government was able to contact three potential sources (See Section 10) during the initial market research immediately after it was determined the current system was beyond economical repair in an effort to ensure the anticipated cost to the Government would be Fair and Reasonable. Given the emergent need of this requirement and the use of Urgent and Compelling procedures this effort has been determined to be sufficient.

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

The Government was able to contact three potential sources (See Section 10) during the initial market research immediately after it was determined the current system was beyond economical repair in an effort to ensure the anticipated cost to the Government would be Fair and Reasonable.

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

The estimated value of this procurement is \$280,397.00. It is subject to the Non-Manufacturer Rule. The Non-Manufacturer Rule, whose threshold of \$150,000.00, allows a firm that is not a manufacturer to qualify as a small business on a supply contract set-aside for small business if it supplies the product of a small business made in the United States (15 USC § 637(a)(17); 13 CFR § 121.406).

The NAICS code for this procurement is 334290 (Other Communications Equipment Manufacturing) and its small business size standard is 750 employees. A VIP search using this NAICS code showed 467 results. The FSC code is 6350 (Miscellaneous Alarm, Signal, and Security Detection Systems). The listed NAICS code, NAICS Description, and FSC code are not listed on the Small Business Administration's Class Waiver List dated 1/1/2015. Therefore, a set-aside cannot be sought, including set-asides or sole sources in pursuit of Veteran-Owned Small Business (VOSB) and Service-Disabled Veteran-Owned Small Business (SDVOSB) contracting goals under the auspices of 38 U.S. Code § 8127.

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:

Tech Electronics, Sound Incorporated, Advent Systems, Inc.

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:

None.

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.

Name

Date

Title

Jesse Brown VA Medical Center

13. **Approvals in accordance with the VHAPM Part 806.3 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.

Daniel Rasmussen

Date

Contracting Officer

Great Lakes Acquisition Center

- b. **One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

David Picchi

Date

NCO 12 Branch Chief

Great Lakes Acquisition Center