

JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
260 Industrial Way West  
Eatontown, New Jersey 07724
2. Description of Action: The proposed sole source action is for a twelve (12) month, firm-fixed-price (FFP) contract with two (2), twelve (12) month options for Reverse Auction enterprise software license. This software will be utilized by the Department of Veterans Affairs (VA) Office of Acquisition Operations (OAO), Technology Acquisition Center (TAC).
3. Description of Supplies or Services: Reverse Auction is a strategic sourcing concept where suppliers bid against each other in real-time to drive the price downward. Bids are conducted electronically in real time and will continue on until the no other supplier is willing to bid lower than the current bid. The contract is awarded to the responsible offeror whose price is lowest at the auction closing time. The total estimated price of the proposed action is [REDACTED].
4. Statutory Authority: The statutory authority permitting other than full and open competition for this acquisition is 41 U.S.C. 253(c)(5), "when a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source", as implemented by Federal Acquisition Regulation (FAR) 6.302-5. For this action, 38 U.S.C. 8127(c), known as the Veterans First Contracting Program, provides the authority to directly contract with a Service-Disabled Veteran-Owned Small Business (SDVOSB).
5. Reason for Authority Cited: The proposed source for this action is Dnutch Associates (Dnutch), 302 Broadway, Suite 201, Methuen, MA 01844, a certified and verified SDVOSB. Dnutch has performed similar support services for other Federal Agencies previously and has proven that it has the required capabilities to meet all of the Government's requirements. Dnutch possesses a combination of the program management and software engineering skills necessary to complete this project. Furthermore, in July 2010 and August 2011, Dnutch provided software demonstrations which confirmed their ability to meet all of the Government's aforementioned requirements. Based on the above, the Government's technical experts have determined that Dnutch is capable of meeting all of the Government's requirements.
6. Efforts to Obtain Competition: Market research was conducted and the details are contained in the market research section below.
7. Actions to Increase Competition: All future requirements will be handled on a case-by-case basis to determine any future acquisition strategy. Additionally, consistent with the guidelines of the Veterans First Contracting Program, the proposed action described herein will be synopsisized on the Federal Business Opportunities Page in accordance with FAR Part 5.

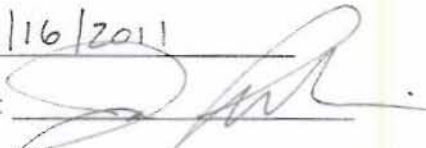
8. Market Research: The VA TAC had a requirement for Reverse Auction in July 2010. Market research was performed at that time. Nine proposals were received and software demonstrations followed. Dnutch's proposal and demonstration was rated Outstanding in the technical evaluation at that time. In August 2011, another software demonstration confirmed that Dnutch's software meets all of the requirements. Market research was also conducted by searching the VetBiz.gov database on September 28, 2011 to determine that Dnutch is a SDVOSB. This search concluded that Dnutch is registered and certified in the VetBiz.gov database and qualifies as a SDVOSB in accordance with the federal small business size standards for the applicable North American Industry Classification System code 541411. Additionally, a search in the Central Contractor Registration (CCR) performed on September 28, 2011 showed that Dnutch is registered under CCR. Based on this market research, the Government's technical experts have determined that Dnutch is a SDVOSB and can meet the Government's requirements.
9. Other Facts: The Procuring Contracting Officer has determined that this procurement meets all the requirements of statute 38 U.S.C. 8127 (c). This procurement is below the \$5,000,000 threshold; Dnutch has been determined to be a responsible SDVOSB; and a fair and reasonable price is expected, which will offer a best value to the Government.

10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

Jon Smolenski

Date: 12/16/2011

Business Systems Manager

Signature: 

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on the Independent Government Cost Estimate and price analysis.

Jan Oberdick

Date: 12/16/2011

Procuring Contracting Officer

Signature: 

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract contract action does not exceed \$650,000, the certification below required by FAR 6.303-2(b)(12) serves as approval.

Jan Oberdick

Date: 12/16/2011

Procuring Contracting Officer

Signature: 