

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition

Acquisition Plan Action ID: 36C246-18-AP-1966

1. **Contracting Activity:** Department of Veterans Affairs, VISN 06, Richmond VA Medical Center VISN 6 Contracting, 100 Emancipation Drive, Hampton VA, 23667 PR # 652-18-4-165-0392
2. **Nature and/or Description of the Action Being Processed:** This is a Justification for Other than Full and Open Competition for due to the Agency's requirement for Brand Name Only system upgrade of an existing Autonomie' infrastucure manufactured and solely distributed by Accessibility Services, Inc.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The Richmond VAMC is currently of an upgrade to the existing Autonomie' System that is installed within the infrastructure of the Richmond VAMC. The current system is at end of technological life as its Windows 8 Platform is obsolete and is in need of a system upgrade to ensure minimum downtime that would also allow for local IT Support during outages and finally restore the existing system to a fully operational status.

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;
- (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):**

Accessibility Services, Inc., is the Original Equipment Manufacturer and sole distributor of the existing system within the Richmond VAMC. The initial system installed was at a value of value of \$1.5M in 2015. On 2 Aug 2018, ASI provided a sole source assertion to the Contracting Officer which also asserted to retention of sole distribution rights by ASI.

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

The Contracting officer contacted ASI in regards to Vet owned business relationships. ASI responded with their assertion of “ As the developer and sole source provider of the AutonoME line of environmental control units we are happy to provide disabled veterans the independence that comes with being able to control their environment and supplement nursing care for more than 25 years. We do not sell our systems through dealers or distributors, but only direct to the VA. Also, we do not partner with any other business, which includes disabled veteran small businesses.” Should the Richmond VAMC find itself in a position for a complete system replacement as opposed to the current requirement of mere system an upgrade regain complete operational status, Market research will be conducted to determine the commercial market environment of available solutions at that time.

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

The Contracting Officer believes that fair and reasonable pricing shall be obtained prior to the subsequent award of any contract vehicle. Additionally ASI has provided a copy of Contract Award 36C24218P1294 executed by NCO 2 for the acquisition of their Syracuse, NY Autonomie' System.

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

Market Research was performed by the Contracting Officer utilizing the World Wide Web, Google, GSA, SAM, VIP and tele-cons with SME's. Market Research ultimately revealed that While VIP returned 302 results, only ASI is capable of upgrading the existing infrastructure within the Richmond VAMC.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

Accessibility Services, Inc., is the manufacturer and sole distributor of the system upgrades required. Accessibility Services, Inc. is also classified Small Business under NAICS 339112. Finally, the system upgrade will minimize downtime consolidate existing systems and allow for a more a more user-friendly system for the paralyzed veteran population serviced by the Richmond VAMC.

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

Accessibility Services, Inc.
6241 S TexPoint
Homosassa, FL 34448

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:

Should the Richmond VAMC find itself in a position for a complete system replacement as opposed to the current requirement of mere system an upgrade regain complete operational status, Market research will be conducted to determine the commercial market environment of available solutions at that time.

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.

Chief Supply Chain Officer
Richmond VAMC

Date

13. Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP](#):

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

Contracting Officer
Richmond VAMC

Date