

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval (J&A) For Other Than Full and Open Competition (>SAT)

1. **Contracting Activity:** Department of Veterans Affairs, VISN 01, Network Office  
Acquisition Plan Action ID: 523-18-4-9182-0069
2. **Nature and/or Description of the Action Being Processed:** This is a request for a sole source award for radio air time for public service announcements created by the VA Outreach office. It is planned for award as a new contract on a Firm Fixed Price (FFP) basis. The Statement of Work (SOW) for the effort describes a description of actions and services being acquired. This task is intended to provide an avenue for VA developed advertisement to promote research, analysis, marketing, and technical support for implementing an effective outreach to Veterans residing within VISN 1. The relevant information on the selected contractor and award details is as follows:
  - Estimated Value: \$99,000/year for base year and four option years for a total of \$495,000.00
  - Type of Contract: Firm Fixed Price
  - Bruins/Red Sox Pre-Game
  - Bruins/Red Sox Pre-Game Billboard
  - Bruins/Red Sox Sox In Game
  - Bruins/Red Sox In-Game Billboard
  - Bruins/Red Sox Post-Game Billboard
  - Bruins/Red Sox Post Game
  - Red Sox/Bruins In Two
  - NESN Sports Today
  - NESN Overnight ROS
  - NESN Hero of the Game Digital Video Series
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This program was specifically designed by the Veterans Administration to cover the Regional sports share including Boston Bruins and Boston Red Sox television broadcasting networks in New England. New England Sports Network (NESN) services will allow VISN 1 to positively impact our market share throughout New England. VISN 1, one of twenty-one Veteran Integrated Service Networks across the country oversees the provision of health care for enrolled Veterans in the states of Massachusetts, Connecticut, Rhode Island, Maine, New Hampshire, and Vermont. The Network delivers high quality health care through an integrated system of eight medical centers. VISN 1 has 38 Community Based Outpatient Clinics (CBOCs), six nursing homes and two domiciliaries. In 2014, there were 910,277 veterans in New England. VISN 1 employed over thirteen thousand VA employees, serving more than 250,000 Veterans and recorded over 2 million outpatient visits. In order to improve VISN 1's marketing and outreach efforts to support this mission, VISN 1 will contract with NESN to procure television broadcasting space for VA education and outreach public service announcements.
4. **Statutory Authority Permitting Other than Full and Open Competition:** This procurement is for advertising space over NESN television airwaves 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.

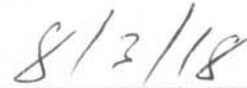
5. **Demonstration that the Contractor's Unique Qualifications and/or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The services required by VISN1 are available from only one responsible source. NESN owns and operates the rights to broadcast all Boston Bruins and Boston Red Sox games on the New England Sports Network Television broadcasting. NESN is the only company that owns and operates the rights to broadcast Boston Bruins and Boston Red Sox games and is geographically located in our targeted broadcast range of New England; the firm is the principal network and is the only one responsible source (FAR 6.302-1). "Accordingly, NESN is the only firm capable of providing the supplies and services 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:** None, NESN is the only company that owns and operates the rights to broadcast across the chosen radio stations as well as the Boston Bruins and Boston Red Sox games that are geographically located in our targeted broadcast range of New England.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The purchase is being vended by NESN, at the market rate and is no different in cost from other advertisements offered by the firm and is at cost similar to other advertisements of a similar nature.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** According to market research conducted, other companies cannot advertise over the specified television broadcasts without using NESN. This contract supports the strategic project to aggressively educate, enroll, vest, and retain Veterans in order to expand its patient base to 300,000 users.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Utilization of the television broadcast public service announcements and advertising is part of VISNs overall Outreach campaign to increase VA Healthcare awareness and market share in New England. It has been determined by market research and documentation from the service provider that NESN is the only vendor to provide these services over chosen radio stations .
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** A presolicitation notice will be posted to FBO.gov.
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:** No actions are planned at this time because NESN has the unique capabilities of providing advertising radio airwaves to reach over their users through radio. NESN is the only firm capable of providing these services. Based on VA polling sports is the number 1 hobby among Veterans.



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: Dana Castagneto  
Title: Community Outreach Specialist  
Facility: VISN 1



Date

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.

Tammy A. Davis  
1408639

Digitally signed by Tammy A.  
Davis 1408639  
Date: 2018.08.07 16:44:42 -04'00'

TAMMY DAVIS  
NCO 1

Date

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

Paul E Marvin  
916912

Digitally signed by Paul E  
Marvin 916912  
Date: 2018.08.07 16:51:12  
-04'00'

PAUL MARVIN  
NCO 1, Branch Chief  
Facility

Date