

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$250K)

Acquisition Plan Action ID: 605-18-4-6027-0215

1. Contracting Activity:

Department of Veterans Affairs
Network Contracting Office 22
4811 Airport Plaza Drive Suite 600
Long Beach, CA 90815

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

The Jerry L. Pettis Memorial VA Loma Linda Hospital requires a major upgrade to the video surveillance system campus wide. The existing system consists of a mix of 311 analog and digital cameras, 38 Edge switches, 1 Core switch, 7 Video Surveillance Media Servers (VSMS), 1 Video Surveillance Operations Manager (VSOM) server running version 6.3.2, and some aging hardware in between. Significantly underpowered servers, switch hardware, bandwidth and low Quality of Service (QOS), along with a varied fleet of aging cameras and restrictive poorly supported video management software are the primary driving factors behind the need to upgrade

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

The Department of Veterans Affairs Network Contracting Office 22 proposes to award a sole source contract to Four Points Technology, for \$183,804.88 to acquire 7 servers to complete the process of replacing the aging, non-functional camera surveillance system at the VA Loma Linda Healthcare System currently in place.

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):

Authorized or Required by Statute (FAR 6.302-5):

FAR Part 6.302-5 allows for the procurement of items through other than full and open competition; when a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source, or the agency's need is for a brand name commercial for authorized resale. The vendor, Four Points Technology, is a SDVOSB and is certified by Vetbiz.gov.

The statute identified under Public law 109-461 Title 38 Veteran's Benefits U.S. Code 8127 allows sole source contracts below the simplified acquisition threshold to be awarded to a small business concern owned and controlled by veterans using procedures other than competitive procedures as long as the following are met:

1. Such concern is determined to be a responsible source with respect to performance of such contract opportunity;
2. The anticipated award price of the contract (including options) will not exceed the simplified acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and will not exceed \$5,000,000;
3. In the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

Currently, Four Points Technology, is an authorized distributor for Dell Corporation and is a certified Service Disabled Veteran Owned Small Business (SDVOSB) in the www.vetbiz.gov database. In addition, Four Points Technology, has been a model SDVOSB and has provided these identical supplies under existing contracts with various VAMCs. The amount is under the Simplified Acquisition Threshold and it does not exceed the \$5,000,000 as defined by the Office of Federal Procurement Policy Act (41 U.S.C. 403). Lastly, with an amount of \$183,804.88, Four Points Technology, provides the best value to the government with by meeting all three (3) requirements IAW the statute identified under Public law 109-461 Title 38 Veteran's Benefits U.S. Code 8127, this procurement meets the requirement of FAR part 6.302-5.

6. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The anticipated price will be fair and reasonable based on the following:

Four Points Technology provides the best value to the government with a savings of \$2,220.12 in comparison to the awarded contract, VA262-16-P-7751 used for the exact work. The cost for the 7 servers under contract VA262-16-P-7751 was \$186,025.00. Four Points Technology is able to provide the 7 servers required to complete the work for a total of \$183,804.88.

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

Solicitation VA262-16-Q-1568 was issued on the Government Point of Entry (GPE), Federal Business Opportunities (FBO) website, www.fbo.gov. This action was submitted to the Department of Veterans Affairs Network Contracting Office 22 in a timely fashion and took approximately 5 months to award. Due to the Government's decision to terminate contract, VA262-16-P-7751 in accordance with FAR 52.212-4(L) "Terms and Conditions-Commercial Items, Termination for the Government's convenience, the required time frame is not available and the best option for the Government is to proceed with a sole source award to Four Points Technology.

In addition, for purposes of meeting goals under Section 8127(b) of Title 38, Veteran's benefits and in entering into a contract with a small business concern owned and controlled by veterans with service-connected disabilities under section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) and for an amount less than the simplified acquisition threshold (as defined in section 134 of title 41), a contracting officer of the Department may use procedures other than competitive procedures.

The Department of Veterans Affairs, Network Contracting Office 22 is committed to the attainment of competitive acquisitions. In any other case, a solicitation would be issued and awarded through a competitive procurement on publicly available Federal Business Opportunities (FBO).

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

N/A

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

N/A

10. 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:

N/A

11. 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.

Paul Wiklund
Project Manager, FMS
VA Loma Linda

Date

12. Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: 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.

Name: Fredy A. Arteaga
Title: Contracting Officer
Facility: Network Contracting Office VISN 22

Date