

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, 0673 Medical Center
516-13-1-9682-0016 Verizon Federal

2. **Nature and/or Description of the Action Being Processed:** A new acquisition is currently being conducted at the VA National level which will contain all telecommunications services within the VA to include, voice, data and wireless. The new acquisition has met with difficulties in progress and therefore needs to be purchased for continuation one more time at the VISN and station levels to provide the time for the new acquisition completion. This service cannot lapse without detriment to the VA. This action is to be awarded as a new firm-fixed –price contract.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
Data services which consist of Metro Ethernet, point to point private line, internet service provider access circuits with data speeds from 128Kpbs to 1000Mbps. The total estimated value of this action is \$104,400.00. Period of performance is October 1st 2012 to September 30th 2013.

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;
 - () (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 incumbent is the only contractor we can use as any other would require significant cost and time to transition existing services to a new Vendor, the vendor would have to install Service Entry Devices, i.e. Customer Service Units (CSU), Data Service Units (DSU), network routers, fiber optic cable, copper cables. This is not an attempt to avoid full and open competition as full and open is currently being conducted on the new acquisition. An attempt at any other contractor would impair healthcare delivery capabilities or mission performance by causing a lapse in services which would delay the Community Out-Reach program which targets Veterans that do not have or have limited personal resources to seek their health care. An attempt at any other contractor would impair healthcare delivery capabilities or mission performance by causing a lapse in services which will interrupt the day to day operations of the VA Medical center to perform its mission to provide health care to our Nation's Veterans and their families. An adverse effect on the ability of our Health Care Providers performance in providing high quality health care services, both normal routine and critical health care would put the life and safety of our Veterans at risk. It would also impact every other aspect of day to day operations in Veteran's access to scheduling, pharmacy, mental health service, notifying Veterans of critical value lab results, VA's ability to obtaining products and services to include emergency services, as well as impair the Medical Center's ability to respond to Local or National emergencies.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
Full and open competition is currently in motion and expected to solicit as many sources as interested. An Integrated Product Team (ITP) has been charted and staffed for this major acquisition.

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

The price was deemed reasonable in the original full and open acquisition and has increased over last year by 5%. Therefore, the current price is deemed reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Extensive market research is currently being conducted on the new acquisition.**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

This requirement was expected to be in place by 1 Oct and therefore, this continuation of service would not have been necessary. The new acquisition has met with difficulties delaying its start. Also, the cost to VA, in man-hours, resources from Contracting, Office of Information & Technology, other VA staff, and Contractors, in doing a full and open competition for this continuation while the new acquisition is underway would place services at risk and would be a redundant effort while already being accomplished on the national level.

There are other costs and risk that should be taken into account, if a different Contractor was selected other than the current incumbent.

Providing these telecommunications services requires much planning, manpower, and carrier-owned, facility-based specialized equipment to effectually accomplish proper routing of voice and data services throughout medical center campus's and to endpoints, not on campus, such as Veterans Outreach Centers and Community Based Outpatient Clinics (CBOC's); and, to the rest of the general public, both business and private, thru a complex system of routing and switching over the PSTN thru carrier Central Offices (CO).

Installation charges for these networks; and, the cost of equipment are expensive and take time, in some case extensive time, to implement. If a carrier is changed, sometimes significant expense is incurred in expense of services overlapping during the transition to the new carrier, service in reconfiguring the network, disconnecting equipment and re-installing redundant equipment while possibly experiencing time delays and service disruption if the project is not critically managed.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: See Section 4**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:** All barriers are expected to be removed upon the acquisition of the new requirement. Full and open competition is currently in motion and this particular justification is to prevent impairment of the delivery of health care services.**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.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

 Invalid signature

X

Signed by: vhatamarrows

Name

Title Senior Telecommunications Specialist
Facility OI&T Region 3 TBO

Date

13. Approvals in accordance with FAR 6.304 *This part is filled out by Contracting Staff as part of the Justification*

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

Name

Contracting Officer

Facility

Date

- b. **Product Line Supervisor (PLS):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name

Contracting Supervisor

Facility

Date

- c. **DNCM/NCM:** (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

Mitchell Thomas

Network Contract Manager

VISN 8

Date

- d. **SAO:** I certify the justification meets requirements for other than full and open competition.

David M. Fitzgerald

Director

Service Area Office, East

Date

- e. **VHA HCA Review and Approval:** (over \$500,000) I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

HCA
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- f. **VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Iris B. Cooper
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- g. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date