

Justification
For Other than Full and Open Competition
6.302-5 – Authorized or Required By Statute

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations (OAO)
Strategic Acquisition Center (SAC)
10300 Spotsylvania Ave, Suite 400
Fredericksburg, VA 22408
2. Description of Action:
The proposed action is for a sole source firm-fixed-price (FFP) contract with Dynamic Integrated Services, LLC (DIS), a Service Disabled Veteran Owned Small Business (SDVOSB). The VA requires Outreach and Advertising Services for VA National Center for Post Traumatic Stress Disorder (NCPTSD) in a timely manner and at a cost that is advantageous to the Government.
3. Description of Supplies or Services:
The overall purpose of this project is for NCPTSD to initiate and augment stigma reduction activities through an outreach campaign to Veterans and their family members. The campaign will employ an integrated communications approach to addressing the stigma and discrimination associated with posttraumatic stress disorder, and will feature NCPTSD resources such as AboutFace, PTSD Treatment Decision Aid, PTSD mobile apps, and Vet Change.

The proposed action is for a Firm Fixed Price contract with a total period of performance of five years including options beginning Fiscal Year 2019. The total cost is estimated at \$4,999,091.73.
4. Statutory Authority:
The statutory authority permitting other than full and open competition is 41 U.S.C. § 3304(a)(5) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302- 5 entitled, "Authorized or required by statute". The applicable statute is Public Law 109- 461: "Veterans Benefits, Health Care, and Information Technology Act of 2006," (specifically, the "Veterans First Contracting Program" outlined in 38 USC § 8127(c)).
5. Rationale Supporting Use of Authority Cited Above:
DIS has been found to be a responsible contractor and has successfully performed on the predecessor contract as a major subcontractor. The anticipated performance period is for a twelve month base year plus four twelve month option periods with an anticipated award value of \$4,999,091.73, which is under the \$5,000,000.00 statutory limitation. The Contracting Officer will be able to determine the contract price fair and reasonable based on a comparison to historical prices paid and the Independent Government Cost Estimate (IGCE).

Sole-Sourcing to DIS is in the best interest of the VA. DIS has been a major subcontractor under the expired contract and can efficiently and effectively execute the follow-on effort. This requirement is a result of the previous vendor, Duty First, selling its operating division responsible for performing under the previous contract. Due to an overarching issue with the Federal Supply Schedule, a novation could not be executed on the previous contract. The expired contract performance period ran from May 8, 2018 thru May 7, 2019. A recompetition would cause a major gap in contract performance which would mean numerous activities would not be executed, and program evaluation could not occur for 2019. Additionally, the cost associated with having a new vendor get established and produce all of the event material needed would be significantly higher than that of DIS.

6. Efforts to Obtain Competition:

IAW VAAR § 819.7007 Sole source awards to service-disabled veteran-owned small business concerns (b), "The contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required." A notice will be publicized as required by Subpart 5.2.

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable:

No award shall be made until the Contracting Officer determines the cost to the Government to be fair and reasonable. This determination will be based on a comparison of current contract pricing, past proposal submissions (if applicable and available), Independent Government Cost Estimate, and other relevant price and cost information.

8. Market Research:

Market research for this requirement was conducted in August 2017, again in April 2019, and lastly in July 2019. It was determined the most applicable is NAICS 541810 Advertising Agencies and PSC R701 Support-Management: Advertising. The VA's Vendor Information Page (VIP) database query returned a result of 118 SDVOSBs and 22 VOSB vendors.

A special notice was issued on July 1, 2019 on Federal Business Opportunities (FBO) Pre-Solicitation Notice of Intent - Non-Competitive to DIS. Two SDVOSBs responded, one respondent was not registered for the applicable NAICS code in the System for Award Management (SAM). The other respondent did not provide a capabilities statement so their ability to perform could not be ascertained. Based on the small business status of the intended award recipient, it has been determined that, IAW Veterans Benefits, Health Care, and Information Technology Act of 2006, 38 U.S.C. §§ 8127-28 and the VAAR Part 810.001-70 "Rule of Two", the intended sole source vendor, DIS is a registered SDVOSB that can meet the needs of this requirement.

DIS has the capability to successfully support the requirement and is a responsible source with respect to performance of such contract opportunity, as required by 38 USC § 8127(c)(1). Based on a search of the VetBiz.gov database, the VA has confirmed that DIS is a verified SDVOSB.

9. Any Other Facts Supporting this Justification:

None

10. A list of sources, if any, that expressed an interest (in writing) to the notified of the acquisition:

Not applicable

11. Actions to Increase Competition:

The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed; however, all future requirements will be handled on a case-by- case basis to determine any future acquisition strategy.

12. Certifications and Signatures:

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.

Veronica Thurston
Program Manager
National Center for PTSD

Date

Contracting Officer Certification:

Pursuant to (FAR 6.303-2(a) (12)), I certify that this justification is accurate and complete to the best of my knowledge and belief.

Mauricio Vazquez
Chief, Acquisition Services Division 5A
Contracting Officer

Date

Competition Advocate Approval:

Upon the basis of the above justification, I hereby approve, as advocate for competition for the procuring activity, the solicitation of the proposed procurements described herein using other than full and open competition, pursuant to the authority of 38 U.S. Code §8127(c).

Donald J. Jones
SAC Advocate for Competition
Strategic Acquisition Center
Department of Veterans Affairs

8/26/2019

Date
Competition Advocate
Tracking Number DJ010