

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. Contracting Activity:

Department of Veterans Affairs (VA)
Office of Administration
Procurement Section
810 Vermont Ave., NW
Washington, DC 20420

2. Description of Action: The proposed action is for a new contract using other than full and open competition for a one-year Firm-Fixed Price (FFP) effort with four (4) option years for Canon copier maintenance for two (2) Government-owned Canon copiers located at the Dept. of Veterans Affairs Learning University (VALU) at VA Central Office (VACO) in Washington, DC. This document supports a Brand Name Justification restricting competition to vendors who are certified by Canon, USA to conduct maintenance on the requisite copiers. This Brand Name Justification is prepared in accordance with FAR 11.105(a)(1), Items Peculiar to One Manufacturer, the particular brand name, Canon, is essential to the Government's requirements. Market research indicates that no other company's similar products can fulfill or be modified to meet the agency's maintenance needs for pre-existing Canon copiers. There are no other possible substitutions available under these circumstances for the reasons stated below.

3. Description of Supplies or Services: This acquisition is restricted to companies that are certified by Canon to provide maintenance on two (2) Canon copiers within VALU located at 1100 First Street, NE, Washington, DC 20002. The companies must be certified by Canon to perform maintenance on the specific model of copier. For this acquisition, the models requiring maintenance are IRC 6065 and IRC 7065. The total estimated cost for this acquisition for the entire period of performance of one (1) base year plus four (4) option years is \$62,490.00. This will allow VALU to accomplish its critical mission of serving Veterans.

4. Statutory Authority: This is a Brand Name Justification and is authorized under FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements," in application of 6.302(c), "Application for Brand Name Descriptions."

5. Rationale Supporting Use of Authority Cited Above: Companies certified by Canon to conduct maintenance support on Canon copier models IRC 6065 and IRC 7065 provides a unique solution that is compatible with the existing copier systems and with current business needs. The nature of this acquisition requires that only Canon certified businesses respond to the solicitation as only Canon copier parts and pieces can be utilized in this maintenance requirement. Due to the pre-existing

voided, there is no other commercial alternative for providing a maintenance solution than Canon certified businesses.

Businesses certified by Canon to conduct maintenance on the requisite copiers have the unique qualifications and specialized capabilities, signified by an official certificate issued by Canon, to conduct the required maintenance and access the necessary Canon copier parts. It is imperative that the copier maintenance provided be from a Canon certified business in order to guarantee that the form, fit, and function of the maintenance parts needed are compatible with the existing Canon copier systems previously installed. This acquisition approach simplifies maintenance and ensures continuity of operations.

6. Efforts to Solicit Potential Sources: Market research was conducted, details of which are in the market research section of this document. This effort did yield one source that was certified by Canon to conduct maintenance and could meet the Government's requirements. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsisized on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated. Additionally, the ordering activity will make publicly available the justification along with the solicitation in accordance with FAR 6.302-1(c).

7. 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 without the current Brand Name restrictions.

8. Market Research: The Office of Administration, Procurement Section issued a Request for Information (RFI) on December 13, 2012, via the FBO to ascertain if there were any other sources that could meet the Government's requirements. One response was received. Formal documentation was provided which indicated that they were certified by Canon to conduct maintenance.

9. Other Facts: This solicitation is being competed as a total small business set-aside under FAR Part 13, utilizing the Brand Name justification which restricts the competition to companies that are certified by Canon U.S.A., Inc. to conduct maintenance on the pertinent Canon copiers.

10. 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.

Name: Valerie Robinson

Date:

2/22/2013

Title COR

Signature:

Valerie Robinson

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on comparison with prices historically paid in the past as well as comparisons with the IGCE and current commercial market pricing.

Name Seprena Jackson

Date: 02/25/13

Procuring Contracting Officer

Signature: 

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 6.303-2(b)(12) serves as approval.

Name Seprena Jackson

Date: 02/25/13

Contracting Officer

Signature: 