

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, White River Junction Regional Office, 215 North Main Street, White River Junction, VT 05009.
2. **Nature and/or Description of the Action Being Processed:** A new firm fixed price contract is proposed for musical/recording equipment which will compromise a unique system to be used to by a severely disabled veteran to obtain employment.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The recommended source has worked with the disabled veteran for several years and together that have developed a configuration of musical instruments/recording equipment that are unique to the specific talents of the veteran. See list below. The requirement also includes delivery, set-up and follow-on services.

Description	
SSL AWS948	\$112,915.53
Argosy mirage console	\$7,114.48
Dynaudio BM15a-active studio monitors	\$3,361.75
U87 A1 - Nickle with shockmount and wooden box	\$11,183.61
Neumann m149 microphone nickle with shockmount diaphragm	\$5,904.25
Furman pl-8c power conditioners - Qty (2)	\$587.60
Akg 141 studio headphones - Qty (2)	\$314.14
Akg mkii 240 studio headphones - Qty (3)	\$728.85
Akai ewi 4000s wind controller	\$789.87
Steinberg grand piano 3 grand piano software	\$281.37
Cubase 7 multi-track software or Cubase sx upgrade system	\$563.87
Yamaha cp5 digital stage piano - stage piano controller with stand	\$3,049.87
Motu 24 i/o soundcard upgrade for AWS 948 PC1-EO	\$1,806.87
Motu 24 i/o expansion I/O	\$1,440.75
Mac 12 core 2.4 ghz / 12gb ITB/5770/SD	\$4,238.37
Mac pro 8 core	\$1,808.00
Apple ram 64 gigs	\$1,950.00
1 tb sata harddrive - Qty (3)	\$508.50
Apple 27" cinema display - Qty (3)	\$2,257.74
Portage 62 7200 rpm 1 tb harddrive - Qty (6)	\$2,101.00
Apple ipad mini 16 gb	\$371.77
H4n handheld recorder usb / audio interface	\$305.04
24/96 4 channel compact digital recorder	\$224.87
Pro tools mixing software	\$789.87
Logic studio upgrade	\$563.87

Vienna Syphonic Orchestra Sample-special edition bundle	\$3,107.50
Vsl Harps	\$186.45
Native Instruments-Complete 9 software	\$563.87
Roland JV880 Sound Module	\$169.50
Real guitar 2	\$282.50
Final music scripting software and scripting keyboard	\$869.75
Mr sax t	\$150.00
Mr sax s	\$150.00
Mr sax tuba and French horn	\$190.00
Mr Sax - Big Band Bundle	\$570.00
Hollywood Orchestral Bundle	\$1,873.00
East west complete composers collection-hd mac	\$1,200.00
KVM switch for Mac computers	\$926.00
Sony hxrz5u	\$4,518.00
Sony hxrz5u accessories	\$450.87
Snake db25 m/m 10ft core cable - Qty 12	\$515.14
Snake db25 m/m 5ft core cable - Qty 8	\$257.64
Snake 8-1/4 trs breakout - Qty 14	\$867.68
Snake 8-1/4 trs female breakout - Qty 3	\$322.02
Snake 8-1/4 trs male breakout - Qty 3	\$322.02
Misc cabling accessories	<u>\$1,130.00</u>
TOTAL AMOUNT	\$184,037.88

The vendor will be able to deliver and set up the equipment within one week.

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): The vendor Long and McQuade located at 925 Bloor St. W, Toronto, Ontario M6H 1L5 has been determined to be the only responsible source available to full fill the needs of a Veteran residing in Toronto, Ontario. The procurement is to purchase musical / recording equipment to obtain and maintain employment under the Vocational Rehabilitation and Employment (VR&E) program. The requirement was approved by the Acting VR&E Director on June 4, 2013. All equipment will have to delivered and installed in the veteran's home. The products supplied will be configured into a unique system that has been designed by the veteran and Long and McQuade. This particular veteran is diagnosed with chronic severe PTSD as a result of his Vietnam war experiences. Due to this condition he becomes dysfunctional and overwhelmed when he has

interactions with individuals he does not trust or is familiar with, especially in his home. His counseling psychologist has confirmed that diagnosis and has determined that another vendor other than Long and McQuade would exacerbate his disabling PTSD condition. The veterans counseling psychologist has formally requested use of only Long and McQuade to allow the veteran to maintain his current well being and continued successful rehabilitation program.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The veteran has purchased other items from other familiar vendors in the past. None of these vendors can provide the entire requirement. Thorough market research has been completed and no other source has been found who could provide the equipment with installation services to the veteran's home. The following companies were contacted Sweet Water, Fort Wayne, IN and Vintage King in Los Angeles, both of these companies had most of the requirement but not all and did not provide installation and set up outside the United States.

The following local sources in Toronto, Ontario were contacted and none could provide the required equipment: Steve's music store, L.A. Musical instruments, Kaos Music Center and Guitar shop.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost is considered fair and reasonable. An analysis was completed by the contracting officer from price lists provided by Sweet Water in Fort Wayne, IN and Vintage King in Los Angeles, CA. It was discovered that most items are required to be shipped by a third party vendor due to international shipping. This would incur additional costs if products were to be purchased in the US. In addition, neither vendor in the US was able to provide the entire product list that is required for the veteran. The pricing provided by Long and McQuade was found to be fair and reasonable based on this analysis.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted in accordance with FAR part 10 and indicated that the only Long and McQuade in Toronto, Ontario can provide the entire equipment list with delivery and installation to the veteran's home. The products that are being purchased will become a unique system and require a unique skill set to create the system. The veteran has been working with the vendor Long and McQuade to develop this unique system specific to the veteran's needs. This system will need installation and set up in the veteran's home and the vendor is a trusted source based on written documentation from the veteran's counseling psychologist who has formally requested that Long and McQuade be the sole source based on the veteran's documented medical condition.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None found
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 action will be taken, this is a one time purchase for a very unique set of requirements for a disabled veteran living outside the US. The basis for this sole source is his medical condition and it is not anticipated that a requirement of this kind would be procured again outside the US.

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 MARGARET HANGER
Title URE
Facility 405/28

7/12/13
Date

13. **Approvals in accordance with FAR 6.304**

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 _____
Title Contracting Officer
Facility 311 / Pittsburgh RD

7/12/2013
Date

b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name
Title
Facility

07/15/2013
Date