

Justification and Approval for Other than Full and Open Competition
FAR 6.302-5 – Authorized or Required by Statute

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Procurement, Acquisitions, and Logistics (OPAL)
Strategic Acquisition Center (SAC)
10300 Spotsylvania Ave Suite 400
Fredericksburg, VA 22408
2. Description of Action: The proposed action is for a firm fixed price Indefinite Delivery Indefinite Quantity (IDIQ) contract to a single source, KUSI Global, LLC (8a) and woman owned small business, 12200 Turley Drive, North Potomac, MD 20878-4707. The Strategic Acquisition Center (SAC) has a need for professional development and diversity training.
3. Description of the supplies or services: The service to be acquired are professional development, leadership, and diversity training.

The scope of the contract will also include consulting support services. The SAC will negotiate a non-competitive award with KUSI Global, LLC, for the procurement of Support Services for Training and Consulting.

The estimated value for this acquisition is [REDACTED] and the anticipated period of performance for the proposed contract is 48 months after the date of contract award.

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".
5. Rationale Supporting Use of Authority Cited Above: In accordance with FAR Subpart 19.8, the SAC intends on awarding an 8(a) sole-source contract to KUSI Global LLC. In accordance with FAR Subpart 19.805-1(b), based on market research the SAC does not believe that there is a reasonable expectation that at least two eligible and responsible 8(a) participants will submit an offer. Market research indicates that KUSI Global is the only 8(a) participant that offers the required training and has the experience and knowledge required to perform the required training services.

In accordance with FAR Subpart 6.302-5(b)(4), this is a sole-source acquisition under the SBA 8(a) Program.

6. Efforts to Obtain Competition: In accordance with FAR 6.302-5 "Authorized or required by statute", subparagraph (b)(4), "Sole source awards under the 8(a) Program (15 U.S.C. 637) but see 6.303 for requirements for justification and approval of sole-source 8(a) awards over \$22 million (See subpart 19.8) based on the estimated value of this requirement as an 8(a) sole source, competition is not required.

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A notice of intent to sole source will be posted once the required review and approvals have occurred. In accordance with FAR 5.2 this justification and approval will be posted on beta.sam.gov.”

7. **Determination of Fair and Reasonable Price:** In accordance with FAR Subpart 19.806, the CO will ensure fair and reasonable pricing in accordance with FAR Subpart 15.4. The CO has determined that certified cost and pricing data is not required for this acquisition, and will determine that the price is fair and reasonable based on one of the methods prescribed in 15.404-1(b)(2)(i-iii) – including a comparison with FSS pricing.

8. **Market Research:** An analysis of the VIP website resulted in 0 Veteran Owned / Service-Disabled Veteran Owned Small Businesses returning when a search was completed on the NAICS code 611430 and the keywords Diversity, Leadership, and Professional Development. A review was performed on the information obtained from GSA’s e-Library, the Dynamic Small Business Search based on a NAICS code search of 611430, SAM.gov was reviewed to confirm KUSI Global’s representatives and certifications. After reviewing all the information, it was determined that a sole source award is in the best interest of the VA to fulfill this requirement. Market research was conducted and KUSI Global was determined to be a responsible source with respect to performance. KUSI Global is registered and certified in SAM.gov under the 611430 NAICS code after a review of their Representations and Certifications in the System for Award Management (SAM).

KUSI Global, LLC
12200 Turley Drive
North Potomac, MD 20878-4707

In addition, the Federal Awardee Performance and Integrity Information System (FAPIS) was reviewed and FAPIS shows no reports for KUSI Global that would indicate defective pricing, instances of contractor fault or recipient not-qualified, terminations for cause, default, or material failure to comply, and / or non-responsibility of the contractor. A notice of intent to sole source will be posted on beta.Sam.gov via Federal Business Opportunities.

9. **Other Facts:** There is a desire to start this training in early August of 2020 and the 8(a) direct award presented an expedited path to procure the services. The SAC is also at risk for not meeting its Women Owned Small Business and Small Disadvantage Business goals. This award will count towards both of those goals.

10. **Listing of interested sources:**

KUSI Global LLC
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North Potomac, MD 20878-4707

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11. Actions to Increase Competition: Future requirements will be competed in the future amongst applicable 8 (a) organizations (if applicable).

12. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which form the basis of and are included in this justification, are accurate and complete.

[REDACTED]

[REDACTED]

13. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[REDACTED]

Approval

Upon the basis of the above justification, I hereby approve, as advocate for competition for the procuring activity, the solicitation of the proposed procurement described herein using other than full and open competition, pursuant to the authority of 41 U.S. Code 3304(a)(5).

[REDACTED]

[REDACTED]