

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** *Department of Veterans Affairs, VISN 11, Battle Creek Medical Center, Justification for Other Than Full and Open Competition for 515-13-4-155-0073, Project 515-12-122, Replace Transformer and Chiller, Building 6.*
2. **Nature and/or Description of the Action Being Processed:** *The Battle Creek Medical Center is requesting to name brand a Building Management System (BMS) through Automated Logic Controls as a portion of a firm fixed price Transformer and Chiller replacement project. There is a station wide BMS to which the new controls and devices must be tied into and must communicate with.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
We are requesting approval to name brand – Automated Logic Controls. New controls as needed for the new mechanical systems that are part of this project, programming within the Automated Logic system, and necessary graphics for user interface with the expanded controls. Note that Controls expansion with Automated Logic must give the VA full access and ability to command and monitor all relevant points. Estimated dollar value: \$15,000.00. The required delivery date will coincide with the construction of Transformer and Chiller Replacement.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (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):**
It is our desire to expand the existing system in order to maintain one cohesive working system on the campus. The BMS system is complex and unique to VAMC BC. Many of the components are proprietary to the system. We are confident in the quality of the products and confident it meets the campus requirements. Nuisance problems/faults/alarms due to different systems trying to communicate with each other would be eliminated. Engineering feels name branding this product is the only correct way to complete with this project.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *We have made every effort to provide drawings and specifications that are open to all potential suppliers. Due to the proprietary nature of electronics and system programing, systems from multiple manufacturers and suppliers are not compatible. The control devices must be able to communicate with the system. Our experience and investigation has indicated that other supplies are not compatible with the existing Building Management System provided by Automated Logic.*
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** *The estimated cost is based on the AE's Estimate and experience in the marketplace. When the bids are received, the bid price will be compared to the estimate from the AE.*
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**
Market Research was not conducted; this is a Name Brand request.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
If a third party, non-licensed company is allowed to modify the system there may be legal issues as to who is responsible for correcting the issue and what may have caused the issue if a problem arises.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** *NA.*
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:**
Continued use of Automated Logic Corporation's DDC systems for all facility control requirements. Changing the system at this point would require changing every building on station. It is necessary that any new components and devises communicate with the existing system. All of the systems on the market or proprietary and therefore name branding is unavoidable.
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.*


Fred C. Vollmerhausen
Chief of Projects
Battle Creek VAMC

10 - 9 - 13
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

Date

Title

Facility

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

Name

Date

Network Contract Manager

VISN/PCA X

Title

Facility

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.

Name

Date

Director

Service Area Office, East

- d. **VHA HCA Review and Approval:** 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 (if over \$10million) or approve (\$500K to 10 million) for other than full and open competition.

515-12-122

Replace Transformer and Chiller, Bldg 6

DDC Sole Source Documentation

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Name

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

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 million but 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.

C. FORD HEARD

Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- f. **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