

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Lebanon Veterans Affairs Medical Center (LVAMC) Justification for Other Than Full and Open Competition, New Front Entrance Building 1 Project #595-11-125, Purchase Request Number Unknown
2. **Nature and/or Description of the Action Being Processed:** Justification for Other Than Full and Open Competition for the use of fire alarm system brand name specification in the solicitation for construction services for New Front Entrance Building 1 Project #595-11-125. The brand name specification will be awarded as part of a new contract, specifically a firm-fixed price contract. The total dollar amount is estimated to be \$ [REDACTED] for the brand name item and \$ [REDACTED] for the entire construction contract.

Description of Supplies/Services Required to Meet the Agency's Needs: The Agency requires the furnishing, installation and connection of an EST-3, Edwards, Signature E Series Fire Alarm System, including alarm initiating devices, alarm notification appliances, control units, fire safety control devices, annunciators, power supplies, and wiring. See Specification Section 28 31 00 for more details.

3. **Statutory Authority Permitting Other than Full and Open Competition:**
41 USC §253(c)(1), as implemented by FAR 6.302-1.

- (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;

4. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Edwards EST is the original equipment manufacturer (OEM) of the existing fire alarm system. While there are other manufacturers of security system equipment that can meet the Government's minimum requirements, it is not in the Government's best interest to award an acquisition to any other brand. The Edwards EST fire alarm system is exclusively used at this facility and it is in the VA's best interest to maintain consistency of the life safety system. Use of other manufacturers would lead to storing additional inventory, functioning issues due to non-compatibility with existing equipment, multiplicity of service contracts, and increased training and operator requirements.
5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable as the brand name requirement will be solicited as part of a larger project to construct a new front entrance for Building 1.

6. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Not applicable as the Government will not be purchasing this item separately but rather as part of a construction project. The contract will be awarded for a firm-fixed price and price reasonableness will be determined based on competition. Based on past procurement history for A/E and construction services, there is a reasonable expectation of receiving offers from two or more responsible SDVOSB concerns.
7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See #5 above.
8. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
10. **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:** None.

11. **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.



Thaddeus Kocuba
Chief Facility Manager, Engineering
Lebanon VAMC

2/6/2014

Date

12. **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.

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Rachel A. Turk
Contracting Officer
Lebanon VAMC

February 7, 2014

Date

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

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Seth J. Custer
Chief of Contracting, Lebanon VAMC
VISN 4

2-11-2014

Date

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1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Lebanon Veterans Affairs Medical Center (LVAMC) Justification for Other Than Full and Open Competition, New Front Entrance Building 1 Project #595-11-125, Purchase Request Number Unknown
2. **Nature and/or Description of the Action Being Processed:** Justification for Other Than Full and Open Competition for the use of security system brand name specification in the solicitation for construction services for New Front Entrance Building 1 Project #595-11-125. The brand name specification will be awarded as part of a new contract, specifically a firm-fixed price contract. The total dollar amount is estimated to be \$ [REDACTED] for the brand name item and \$ [REDACTED] for the entire construction contract.

Description of Supplies/Services Required to Meet the Agency's Needs: The Agency requires the furnishing, installation and connection of a Siemens Physical Access Control System as part of the New Front Entrance Building 1 Project. The system shall include alarm initiating devices, alarm notification appliances, control units, monitors, annunciators, power supplies, and wiring. See Specification Section 28 13 00 for more details.

3. **Statutory Authority Permitting Other than Full and Open Competition:**
41 USC §253(c)(1), as implemented by FAR 6.302-1.

- (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;

4. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Siemens Industry, Inc. located at 1000 Deerfield Parkway, Buffalo Grove, IL 60089 is the original equipment manufacturer (OEM) of the existing security system. While there are other manufacturers of security system equipment that can meet the Government's minimum requirements, it is not in the Government's best interest to award an acquisition to any other brand. The Siemens security system is exclusively used at this facility and it is in the VA's best interest to maintain consistency of the life safety system. Use of other manufacturers would lead to storing additional inventory, functioning issues due to non-compatibility with existing equipment, multiplicity of service contracts, and increased training and operator requirements.

5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable as the brand name requirement will be solicited as part of a larger project to construct a new front entrance for Building 1.
6. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Not applicable as the Government will not be purchasing this item separately but rather as part of a construction project. The contract will be awarded for a firm-fixed price and price reasonableness will be determined based on competition. Based on past procurement history for A/E and construction services, there is a reasonable expectation of receiving offers from two or more responsible SDVOSB concerns.
7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See #5 above.
8. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
10. **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:** None.

11. **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.



Thaddeus Kocuba
Chief Facility Manager, Engineering
Lebanon VAMC

02/06/2014

Date

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Rachel A. Turk
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Lebanon VAMC

February 7, 2014

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VISN 4

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DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Lebanon Veterans Affairs Medical Center (LVAMC) Justification for Other Than Full and Open Competition, New Front Entrance Building 1 Project #595-11-125, Purchase Request Number Unknown
2. **Nature and/or Description of the Action Being Processed:** Justification for Other Than Full and Open Competition for the use of a lock and latch system brand name specification in the solicitation for construction services for New Front Entrance Building 1 Project #595-11-125. The brand name specification will be awarded as part of a new contract, specifically a firm-fixed price contract. The total dollar amount is estimated to be \$ [REDACTED] for the brand name item and \$ [REDACTED] for the entire construction contract.

Description of Supplies/Services Required to Meet the Agency's Needs: The Agency requires the furnishing of BEST access systems products that utilize the Great Grand Master key system with cores having no less than 7 pins. See Specification Section 08 71 00 for more details.

3. **Statutory Authority Permitting Other than Full and Open Competition:**
41 USC §253(c)(1), as implemented by FAR 6.302-1.

- (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;

4. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** BEST Access Systems located at 6161 East 75th Street, Indianapolis, IN 46250 is the original equipment manufacturer (OEM) of the existing lock and latch system. While there are other manufacturers of security system equipment that can meet the Government's minimum requirements, it is not in the Government's best interest to award an acquisition to any other brand. BEST access systems are exclusively used at this facility and it is in the VA's best interest to maintain consistency of the security system. Use of other manufacturers would lead to storing additional inventory, functioning issues due to non-compatibility with existing equipment, multiplicity of service contracts, and increased training and operator requirements.
5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable as the brand name requirement will be solicited as part of a larger project to construct a new front entrance for Building 1.

6. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Not applicable as the Government will not be purchasing this item separately but rather as part of a construction project. The contract will be awarded for a firm-fixed price and price reasonableness will be determined based on competition. Based on past procurement history for A/E and construction services, there is a reasonable expectation of receiving offers from two or more responsible SDVOSB concerns.
7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See #5 above.
8. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
10. **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:** None.

11. **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.



Thaddeus Kocuba
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February 7, 2014

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- 1. Contracting Activity:** Department of Veterans Affairs, VISN 4, Lebanon Veterans Affairs Medical Center (LVAMC) Justification for Other Than Full and Open Competition, New Front Entrance Building 1 Project #595-11-125, Purchase Request Number Unknown
- 2. Nature and/or Description of the Action Being Processed:** Justification for Other Than Full and Open Competition for the use of a HVAC (heating, ventilation and air conditioning) control brand name specification in the solicitation for construction services for New Front Entrance Building 1 Project #595-11-125. The brand name specification will be awarded as part of a new contract, specifically a firm-fixed price contract. The total dollar amount is estimated to be \$ [REDACTED] for the brand name item and \$ [REDACTED] for the entire construction contract.

Description of Supplies/Services Required to Meet the Agency's Needs: The Agency requires the engineering, programming, equipment, installation, materials, installation labor, commissioning and start-up, and training for a Delta Controls HVAC control system. See Specification Section 23 09 23 for more details.

- 3. Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302-1.

- (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;

- 4. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Delta Controls located at 17850 56th Avenue, Surrey, British Columbia, Canada, V3S 1C7 is the original equipment manufacturer (OEM) of the HVAC control system being installed throughout the facility. While there are other manufacturers of security system equipment that can meet the Government's minimum requirements, it is not in the Government's best interest to award an acquisition to any other brand. Delta Controls has been implemented at the facility in October 2009. The change is being made at the facility for ease of use and ability to provide the most efficient environmental conditions throughout the station building including the hospital. The existing Johnson Controls are useable by only one operator at the facility and in his absence there is no back up. However, in the interest of generating competition, Johnson Controls are acceptable for this project. The changeover to Delta Controls and the use of Delta Controls will meet the operational need of the Lebanon VAMC by giving the engineering department redundant HVAC operational control. Use of other

manufacturers would lead to storing additional inventory, functioning issues due to non-compatibility with existing equipment, multiplicity of service contracts, and increased training and operator requirements.

5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable as the brand name requirement will be solicited as part of a larger project to construct a new front entrance for Building 1.
6. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Not applicable as the Government will not be purchasing this item separately but rather as part of a construction project. The contract will be awarded for a firm-fixed price and price reasonableness will be determined based on competition. Based on past procurement history for A/E and construction services, there is a reasonable expectation of receiving offers from two or more responsible SDVOSB concerns.
7. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See #5 above.
8. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
9. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
10. **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:** None.

11. **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.



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