

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval
For
Brand Name or Equal Product Requirement**

1. **Contracting Activity:** Department of Veterans Affairs, Veterans Health Administration (VHA), Service Area Office (SAO) East, Network Contract Organization (NCO) 02, Western New York (WNY) VA Medical Center, Buffalo, NY. This proposed contract will be completed with the brand name of Simplex. This document shall be used as a "Justification for Other Than Full and Open Competition." The applicable purchase request numbers are 528-14-2-4192-0059 and 528-14-2-4192-0068.

2. **Nature and/or Description of the Action Being Processed:**

This contracting action is part of a construction contract for 10TH FLOOR FIRE ALARMS UPDATES. The brand name specification is for the Fire Alarm system which will work in conjunction with the existing Fire Alarm system at the WNY VA Medical Center. This allows both audio and visual notification in case of an emergency.

In completing this requirement, the VA has determined that the Fire Alarm system must be the following brand name:

Simplex Model #4906-9151 audio/visual devices.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The equipment is required to complete the project and includes the above described Fire Alarm devices. The salient characteristics of the Fire Alarm system are as follows:

1. ***GENERAL:***

- A. Fire alarm system shall be Simplex Model #4906-9151 audio/visual devices. The audio/visual devices must have the ability to interface and communicate with the existing Simplex fire alarm system.

2. ***DESIGN***

- A. Each fire alarm control unit and shall operate as a supervised zoned fire alarm system.
- B. All circuits shall be monitored for integrity.
- C. Transmit digital alarm information to the main fire alarm control unit.

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):

Under FAR 6.302-1 (b) (1), "when there is a reasonable basis to conclude that the agency's minimum needs can only be satisfied by— (i) Unique supplies or services available from only one source or only one supplier with unique capabilities," then the government can procure that specific, unique item or its equal. In this case, the system is to interconnect and be compatible with a much larger system. The above noted brand name is essential to the Government's requirements, thereby precluding consideration of a device manufactured by another company.

The use of a brand name (Simplex) system is advantageous to the WNY VAMC for several reasons including compatibility and interactivity between the existing Fire Alarm system and the new system. Therefore, it is in the best interests of the government and my recommendation that the WNY VAMC complete this requirement with the above named Fire Alarm system.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

There are other Fire Alarm vendors but their systems are incompatible with the current system installed throughout the facility. It would require purchasing additional computers to monitor the separate system and would require VA personnel to log on to different computers and systems, in lieu of a single system as we have currently. The additional equipment expense and additional manpower to monitor multiple systems would not be feasible.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The cost to the Government will be fair and reasonable as equipment needed is part of a larger procurement that will be competed.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:


There are other manufacturers of Fire Alarm systems with many of the salient characteristics described above but are not completely compatible with the current Fire Alarm system. Market research has not been

performed because the system software of what is currently installed is proprietary to Simplex. Additionally, Simplex is only liable for their own devices that are tied into their system.

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: No one has expressed interest.
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:

Currently, no actions are planned to remove the barrier to competition in restricting the Fire Alarm system to the above named system. If an alternative that meets the salient characteristics of the above named system is proposed and agreed to by the Contracting Officer, this barrier to competition will be removed.

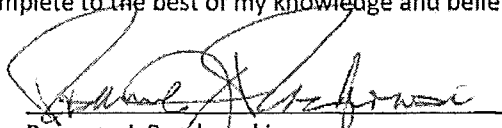
12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Robert Reiter, Contracting Officer Representative
VA Western New York Healthcare System

2-25-14
Date

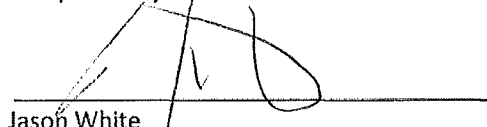
13. Approvals in accordance with FAR 6.304

- a. Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Rosanne J. Raczkowski
Contracting Officer- VISN2/ NCO

2-25-2014
Date

- b. NCM/PCM (Required \$150K and below): I certify the justification meets requirements for other than full and open competition.


Jason White
Supervisory Contract Specialist
VISN 2 NCO

2/25/14
Date

