

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, Veterans Health Administration (VHA), Program Contracting Activity Central (PCAC).

The proposed procurement, Invitation For Bid (IFB) VA701-14-B-0145 is for the construction of a new Combined Heat and Power (CHP) Plant at the West Haven, CT VA Medical Center.

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

This justification is to support the construction of a new CHP Plant at the West Haven, CT VA Medical Center that will be awarded as a firm-fixed price contract. This justification is for other than full and open competition for the procurement of certain construction materials. The use of a particular brand name for the items listed below accommodates standardization of these items throughout the facility.

- a. Fire Alarm System
 - i. Manufacturer: SimplexGrinnell
- b. Security System
 - i. Johnson Control Security
- c. Pad Mounted Medium Voltage Switch
 - i. Manufacturer: S&C Electric Company
- d. Plant Integration System
 - i. Manufacturer: Associated Boiler Line Equipment Company (ABLE)

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

This procurement is to construct a new Combined Heat & Power Plant at the West Haven VA Medical Center. The scope includes everything necessary to construct a functional building that meets the requirements of the Department of Veterans Affairs. There are four (4) brand name items listed for which the VA is not able to accept an equal or alternate item. The value of each item is listed below and the magnitude of the entire project is between \$20,000,000.00 and \$50,000,000.00.

- a. Fire Alarm System
 - i. Manufacturer: SimplexGrinnell
 - ii. Value: \$45,000.00
 - iii. Unique Qualifications: The Fire Alarm System for the new building must tie into the existing system on campus and therefore needs to be this specific manufacturer.
- b. Security System
 - i. Johnson Control Security
 - ii. Value: \$50,000.00
 - iii. Unique Qualifications: The Security System for the new building must tie into the existing system on campus and therefore needs to be this specific manufacturer.
- c. Pad Mounted Medium Voltage Switch
 - i. Manufacturer: S&C Electric Company

- ii. Value: \$50,000.00
 - iii. Unique Qualifications: The Utility Company, UI, requires a S&C switch be installed on the incoming electrical service for disconnecting means.
- d. Plant Integration System
 - i. Manufacturer: Associated Boiler Line Equipment Company (ABLE)
 - ii. Value: \$400,000.00
 - iii. Unique Qualifications: The Plant Integration System for the new building must tie into the existing system on campus and therefore needs to be this specific manufacturer.

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; 41 USC §253(c)(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):

All of these items have been standardized throughout the West Haven VA Medical Center. Installing different manufacturer systems will create significant duplication in cost for the facility, and in some cases the equipment will not function properly. The specific impact for not using the brand name items is listed for each item below:

- a. Fire Alarm System
 - i. Manufacturer: SimplexGrinnell
 - ii. Impact: Any other manufacture would not be able to communicate with the existing system and therefore will not function properly.
- b. Security System
 - i. Johnson Control Security
 - ii. Impact: Any other manufacture would not be able to communicate with the existing system and therefore will not function properly.
- c. Pad Mounted Medium Voltage Switch
 - i. Manufacturer: S&C Electric Company
 - ii. Impact: Use of this manufacture is a requirement of the utility company, substitutions will not be accepted.
- d. Plant Integration System
 - i. Manufacturer: Associated Boiler Line Equipment Company (ABLE)
 - ii. Impact: Another manufacturer would not fully integrate with the existing system and would not work properly.

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

In accordance with the Competition in Contracting Act (CICA), the components listed above are identified as brand name; however, the overall procurement will be competed as Full and Open. This Justification For Other Than Full and Open Competition will be posted to Federal Business Opportunities with the solicitation.

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

The design was completed by Cannon Design, Inc. (Cannon) of Boston, MA. Cannon provided a complete government estimate. The anticipated price to the Government for the items requested to be brand name is approximately \$545,000.00.

The items for which brand name approval is being requested are subsequent components to the overall construction project. This procurement will be competed and based on competition; the Contracting Officer will make a determination of fair and reasonable pricing prior to award.

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

The market research for the design and equipment was conducted Cannon to secure the secure prices for the government estimate, and was shared with the Contracting Officer and Contracting Officer's Representative for further review. The Contracting Officer and Contracting Officer's Representative were in concurrence with information provided in the estimated that supported the brand name items. These sources have been identified by Cannon as a result of Task Order VA701-13-J-0093 to design the Combined Heat and Power Plant. Approval of these items as brand name only is critical for the overall efficiency of the completed project and the West Haven facility as a whole.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

All the specifications and drawings associated with this project have been developed identifying the four (4) brand name items as requirements for the project.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Not applicable. It is the responsibility of the bidders and the general contractor awarded the project to locate suppliers and obtain pricing for all bidding materials and components, including the items listed in this justification.

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:

There will be competition for the overall procurement. It will be the responsibility of the bidders to obtain pricing from the suppliers of the items and to submit a competitive bid for the project.

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.

Angelo
Aglieco

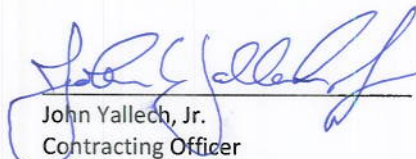
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Angelo Aglieco
West Haven Energy Manager

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.


John Yallech, Jr.
Contracting Officer

Program Contracting Activity Central (PCAC)

Date

4/4/2014

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


Richard Dahmen

Director of Contracting
Program Contracting Activity Central

Date

4/4/2014