

VETERANS AFFAIRS VISN 21 NCO  
BRAND NAME JUSTIFICATION  
PROCUREMENT REQUEST VA261-14-R-1316

1. **Contracting Activity:** The Department of Veterans Affairs, VISN 21 Network Contracting Office, as requested by the VA Central California Health Care System, will enter into a new contract that requires brand name justification. Purchase Request number 570-14-4-775-0393.
2. **Nature and/or Description of the Action Being Processed:** This request is for a new task order contract. The task order contract shall be Firm-Fixed Price (FFP) in accordance with FAR 16.202.
3. **Description of Supplies/Services Required to Meet the Agency's Need:** VA Central California Health Care System requires two new cooling towers and associated equipment. The equipment is to be purchased and will be provided as "Government provided equipment" to a prime contractor for installation. The cooling towers have been specified in the design of the building remodel and any variation from the specified equipment will cause the design to be un-usable. The estimated value of the cooling towers and associated equipment is \$492,856.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:** These brand name items are being procured under the authority of FAR 6.302-1, *Only one responsible source and no other supplies or services will satisfy agency requirements.*
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:** The current cooling equipment (chillers and cooling towers) are woefully short of meeting the cooling demands of the hospital. Making all the corrections necessary at one time is not possible, therefore the facility has several design, construction, and equipment purchases in process in order to correct the overall deficiencies. This procurement will replace the existing cooling towers with new, efficient, and correctly sized towers. This equipment will supplement the new chillers that are being purchased through other methods. The design of the remodel/expansion of the building that houses the chillers and cooling towers has specified the exact make and model of cooling tower being requested. Any deviation from this exact make and model will make the design not usable, or potentially increasing the cost of construction beyond the budget halting all the corrections. The cooling towers specified are made by SPX/Marley. All specifications and requirements are included in the solicitation.
6. **Description of efforts made to ensure that offers are solicited from as many potential sources as deemed practicable:** This solicitation will be posted on FedBizOpps and the procurement will be competed among the VISN 21 MATOC holders. The MATOC holders are all Service Disabled Veteran Owned Small Businesses.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be fair and reasonable:** There will be competition for this procurement. Additionally, the cost will be compared to the Independent Government Estimate that was developed using the cost of like equipment and information provided by the design team.
8. **Description of the Market Research conducted and the Results, or a Statement of the Reasons Market Research was not conducted:** Market research was limited. The brand name restriction is absolutely required due to the design of the new building extension. Only this exact brand and model will fit on the designed support structure in the roof and provide the needed production for the campus.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The brand name restriction is required per the reasons stated in Paragraph 5 above.

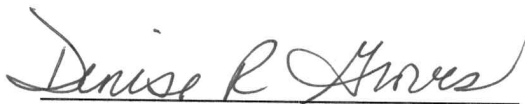
10. **Listing of Sources that Expressed, in Writing, and Interest in the Acquisition:** This procurement will be competed among the VISN 21 MATOC holders.

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:** Competition among all brand names will only be feasible if the design of the building changes.

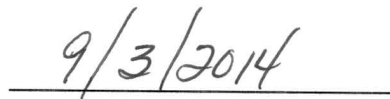
12. **Requirement Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veteran Affairs and the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

13. **Approvals in Accordance with FAR 6.304:**

a. Contracting Officer's Certification: I certify that the forgoing justification is accurate and complete to the best of my knowledge and belief.



Denise R. Groves  
Contracting Officer



Date

b. DoC (required \$3K and above): I certify the justification meets requirements for other than full and open competition.

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Paul M. Griffin  
Branch Chief, Construction 2  
Network Contracting Office (NCO) 21

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Date