

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network 11 Contracting Office, 8888 Keystone Crossing, Indianapolis, IN in conjunction with the VISN 11 Engineering Officer, Richard L. Roudebush VA Medical Center Indianapolis IN. Purchase Request number 2237 #583-15-1-650-0072; Project 583-13-121 Replace Fire Pump.
2. **Nature and/or Description of the Action Being Processed:** Brand name only request for Best door locks and hardware. Action is contained within the specifications and/or drawings of a project that will be awarded as a new contract or task order action of the firm-fixed price variety.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
Best door locks and lock sets, total estimated value is \$4,250, 5 sets, delivery commensurate with the construction project performance period which is 120 calendar days.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
☒ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1 (41 U.S.C. 3304(a)(1))
☐ (2) Unusual and Compelling Urgency per FAR 6.302-2 (41 U.S.C. 3304(a)(2))
☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3 (41 U.S.C. 3304(a)(3))
☐ (4) International Agreement per FAR 6.302-4 (41 U.S.C. 3304(a)(4))
☐ (5) Authorized or Required by Statute FAR 6.302-5 (41 U.S.C. 3304(a)(5))
☐ (6) National Security per FAR 6.302-6 (41 U.S.C. 3304(a)(6))
☐ (7) Public Interest per FAR 6.302-7 (41 U.S.C. 3304(a)(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):** Best Locks are the only locks and locksets used throughout the entire Richard L. Roudebush VA Medical Center. The quantity throughout totals in the hundreds. Best Locks are proprietary precluding the use of another brand (as are all lock systems). Use of another brand would result in a serious breach of patient safety whereby door locks would be inoperable due to incompatibility with the existing Best Lock system programming (where electronic locks are in place) and master key system (VA Police require one master key to access all locks in the event of an emergency). Because of the proprietary nature of the entirety of the lock system used throughout the medical center and the fact trying to incorporate other system would result in patient safety concerns and overall medical center security concerns, using Best Locks in this construction project is essential to the Government's requirements, thereby precluding the consideration of a product manufactured by another company.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** During the design of the project by the professional AE firm, research performed confirmed that no other security lock manufacturer is compatible with the existing Best Lock system. An attempt was previously made to incorporate Falcon lock system which was a failure due to programming incompatibilities and inability of VA Police to unlock Falcon locksets with their

master key in the event of an emergency.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer has determined the anticipated cost will be considered fair and reasonable. The entire construction project which the Best Lock system is part of is being competed via a 100% set-aside for SDVOSB firms. Competition will insure a fair and reasonable price. Only price analysis is contemplated due to the requirement being advertised using sealed bidding procedures (FAR 14) and several bids are expected to be received (based on past experience and pre-solicitation notice responses and inquiries).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted during the design phase as described in item number 6 above. No other brand satisfies the needs of this project via the lock system. No further market research was conducted due to the fact the AE design firm has the expertise and experience having designed similar projects both for Government and private industry whereby locksets are deemed crucial to be of one brand for failsafe interoperability which is crucial in a hospital setting.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** There are no other facts to support the use of other than full and open competition regarding the Best Lock sets. All pertinent rationale have been provided in items 5, 6, and 7 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
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:**
No actions are anticipated to overcome the barrier regarding the lack of competitive lockset manufacturers that would be compatible with the existing Best Lock system. As in many other specialized systems used throughout the construction industry, they are proprietary in nature and are incompatible with competing systems.
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.

 12/17/14

Name: Scott L. Moritz, P.E.

Date

Title: Chief Engineer

Facility: 583 Indianapolis RLR VAMC

13. **Approvals in accordance with FAR 6.304** *This part if 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: Scott D. Brennan
Title: Contracting Officer
Network 11 Contract Office

Date

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

Name: Donald R. King
Director of Contracting
Network 11 Contract Office

Date

- c. **SAO(If over \$650K)**: I certify the justification meets requirements for other than full and open competition.

Ricky L. Lemmon
SAO Director
Central Region

Date

- 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 \$12.5 million) or approve (\$650K to \$12.5 million) for other than full and open competition.

NORBERT S. DOYLE
Chief of Procurement and Logistics Officer
VHA, Head of Contracting Activity

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$12.5 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