

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Network Contract Office 10 (NCO 10), Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.
2. **Nature and/or Description of the Action Being Processed:** This project is named "Provide Process Loop Tie-Ins" and the purpose is to provide branch piping from existing valved feeds in the process chilled water loop main lines in the sub-basement. These branch lines will feed multiple, year-round, 24/7 cooling loads for medical equipment and other existing cooling loads.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Andover direct digital control (DDC) system is required to provide electronic positioning of valves and monitoring of the medical facility's main HVAC system. The system is programmable and the program code can be customized to control time schedules, set points, controllers, logic, timers, trend logs, and alarms. The system, when properly integrated, can administer controls for the HVAC systems for the entire medical center. The estimated value for the Andover DDC system materials is \$86,500.
4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).

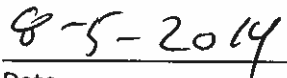
 - ☒ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - ☐ (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - ☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - ☐ (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).** Each of the different controls manufacturer's offers both a proprietary and open communication programming language for their control systems. The facility's existing control system uses 90% Andover proprietary closed communication and 10% Andover DDC open communication. At this time, it is more efficient for the medical center to have one comprehensive system that can be used to control the entire system. At some point in the future when the existing Andover DDC closed communication devices are replaced with open communication devices it will make more sense to implement an open communication system that will accept all different controls manufacturers. The technicians operating this system are familiar with the programming, graphics, and operation of the Andover DDC and introducing a new control system would be cumbersome and inefficient for the technicians at this time. Introducing a new controls system at this time would also require additional

training and knowledge by the technicians, additional CPU's and monitors for each controls system, and would decrease the HVAC shops' ability to efficiently manage the facility's control system.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This procurement will be competed and synopsisized on Fed Biz Ops (www.fbo.gov) as an Invitation for Bid (IFB) and will indicate the requirement for brand name specification (Andover) regarding the DDC Controls. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated that two (2) or more bids will be received through the construction procurement sealed bidding process. If two (2) or more bids are received than the cost of the entire project will be considered fair and reasonable to the government based on competition. Engineering forecasts that only one (1) controls contractor will provide a proposal as part of the prime contractor's sealed bid. Schneider Electric owns Andover Controls and has a proprietary agreement with one (1) local controls contractor. The number of controls contractors bidding this project could potentially be expanded through the involvement of the contracting officer.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Currently the Andover DDC proprietary system is used in 90% and Andover DDC open communication is used in 10% of the facility's existing control system. There are other controls systems that are available in the market, but they are unable to communicate through Andover because 90% of the facility's system is propriety and does not offer open communication. Market research is not warranted at this time because of the reasons explained in paragraph #5.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. See Items 5 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:** Not Applicable at this time – See Item 5.
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.



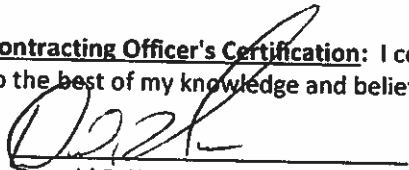
Mike Morgan
COR, Engineering Service
Louis Stokes Cleveland VAMC



Date

13. Approvals in accordance with FAR 6.304

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



Donald P. Tam
Contracting Officer
Network Contracting Office (NCO) 10

8-5-2014
Date

- b. NCM/PCM: I certify the justification meets requirements for other than full and open competition.



Terry L. Spitzmiller
Director of Contracting
Network Contracting Office (NCO) 10

8-5-2014
Date