



U.S. Department of Veterans Affairs (VA)
Service Area Organization (SAO) West,
Network Contracting Office (NCO) 19
Rocky Mountain Acquisition Center (RMAC)
4100 East Mississippi Avenue, Suite 900
Glendale, CO 80246

Justification and Approval (J&A)
For
Other Than Full and Open Competition
(Sole Source)
Project: #442-14-101 Reduce Heat & Power Loss

1. **Contracting Activity:**

Department of Veteran Affairs
NCO 19 Colorado
4100 East Mississippi Avenue, Suite 900
Glendale, CO 80246

Requiring Activity: Cheyenne Veterans Affairs Medical Center (CVAMC)
Purchase Request: Cheyenne 442-XX-X-XXX-XXXX

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

This is the application of a brand name justification of particular products and / or items by specific manufacturers which does not provide for full and open competition. These product and/or items are vital to this project success, therefore these Sole Source procurement products and/or items are as follows: Johnson Controls Inc. (JCI) Building Automation System (BAS This product is included in a new fixed price Total Service-Disabled Veteran Owned Small Business set-aside competitive procurement action to be awarded for the Reduce Heat & Power Loss project.

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

The Cheyenne VAMC Reduce Heat and Power Loss project will include the installation of: (2) high-efficiency hot water boilers. The control of these boilers will be through the existing JCI BAS. JCI will provide controls and interconnections to the existing BAS per specification 23 09 23 Direct-Digital Control for HVAC.

PRODUCT / ITEM	QUANTITY	UNIT PRICE	TOTAL PRICE
JCI BAS Controls	1		
Total	1		

Site History and Need

The Cheyenne VAMC facility is converting from steam heat to hot water heat in response to Federal mandates requiring the reduction of the facility's energy footprint. This project will replace one steam boiler at 75% efficiency with two hot-water boilers at 95% efficiency.

Sole Source Justification

The Johnson Controls Inc. (JCI) Building Automation System (BAS) is an extremely expensive system and is networked throughout the entire Cheyenne VAMC facility. The BAS is a critical

facility system. Reliability of the BAS is of the utmost importance for maintaining proper operation of the facility. Failure of the BAS would adversely affect patient access to care.

The BAS utilizes proprietary hardware and software to control building operation. The VA cannot afford to risk the reliability of the BAS by introducing outside vendor hardware or software into the existing JCI BAS. Outside vendors are not directly compatible with the JCI BAS system; they require additional hardware to interface properly with the JCI BAS. The interface increases the complexity of the system and introduces an unnecessary point of failure. Outside vendor hardware and software may void existing software and hardware warranties from JCI.

4. **Statutory Authority Permitting Other than Full and Open Competition:** FAR 6.302-1 (2) (c)
The Application for brand name descriptions is essential to this Government requirement. Only one responsible source and no other supplies will satisfy the agency requirement

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

5.1. This project is part of the Cheyenne VAMC Energy Plan to meet required Federal energy use reduction in facilities. The Building Automation System plays an important function in managing the building systems and minimizing the energy consumption of the facility while providing the necessary level of comfort and required ventilation for our veterans.

5.1.1. **Johnson Controls Inc. (JCI) Building Automation System (BAS):** The JCI is the manufacturer and service agent for the existing Building Automation System (BAS) at the Cheyenne VAMC. The BAS is comprised of proprietary hardware and software that controls the operation of the facility mechanical systems (provides automated control of the HVAC as well as several ancillary systems). Johnson Controls Inc. would be the sole-source sub-contractor for the Controls portion of the project.

The Johnson Controls Inc. (JCI) Building Automation System (BAS) is an extremely expensive system and is networked throughout the entire Cheyenne VAMC facility. The reliability of the BAS is of the utmost importance to maintaining proper operation of the facility. Failure of the BAS would adversely affect patient access to care. The BAS utilizes proprietary hardware and software to control building operation. The VA cannot afford to risk the reliability of the BAS by introducing outside vendor hardware or software into the existing Johnson Controls Inc. BAS system. Outside vendors interfacing with the JCI BAS may void existing software and hardware warranties from JCI.

This project will add equipment which will be controlled by the BAS. Control of the added equipment requires both hardware and software modifications. Johnson Controls is the only qualified vendor to make hardware and software changes to the existing BAS.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
Efforts are made to solicit from as many potential sources through synopsis in accordance with FAR 5.202 (a)(z)
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

Products are included in a Total Service-Disabled Veteran-Owned Small Business (SDVOSB) competitive solicitation for a firm fixed price construction contract.

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

No equal products will satisfy the essential nature of this Government requirement, thereby precluding considerations of products manufactured by another company.

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

None.

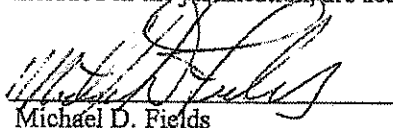
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

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:**

These products are vital to this Government's requirement. Moreover, due to the specific type of funding Veterans Access, Choice & Accountability Act (VACAA), time, scope, and proprietary nature it is not in the Government's best interest to delay this currently funded project.

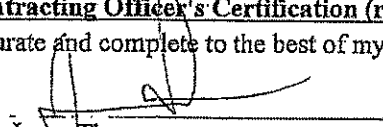
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge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


Michael D. Fields
Energy/General Engineer
CVAMC

10/5/2015
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.


Jason Thomas
Contracting Officer
NCO 19

10/5/2015
Date