

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition for Brand Name Items Only

1. Contracting Activity:

Department of Veterans Affairs
NCO 20, Construction Team

on behalf of

Mann-Grandstaff VA Medical Center
4815 N. Assembly St.
Spokane WA 99205

VA2237: 668-15-3-064-0001

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

This Justification and Approval is to provide for Brand Name items which will be procured and provided by the successful bidder in the performance under the general construction contract which is for general construction services to construct the Mental Health and Education Building at the Mann-Grandstaff VAMC located in Spokane, WA.

Project Number: 668-313

Project Title: Construct Mental Health and Education Building

Project Period of Performance: 18 Months

The project has a complete design. The action will be awarded as a new firm fixed price contract for general construction services. These items are part of a larger project, which will be solicited and awarded on a competitive basis.

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

This justification covers only those items listed, below, and is not for the entire procurement. The use of these items is essential to the Government's requirements, precluding the use of products from other manufacturers.

- a. Likorall patient lift system to match the existing patient lifts used by the VAMC, Spokane, WA. No other brand of mechanical control and lift system will meet this requirement due to compatibility requirements.
- b. Best brand lock core system compatible with the existing lock core system used by the VAMC Spokane, WA. This is for the cores only.
- c. Edwards Signaling Technology (EST) fire alarm and protection system components that seamlessly integrate into the existing system used by the VAMC Spokane, WA.
- d. Schneider Electric HVAC, lighting and energy management systems to seamlessly integrate with the existing systems used by the VAMC Spokane, WA.

Estimated cost for the Schneider Electric brand components is \$95,000.00
- e. Hilti fire stopping materials that match the existing fire stopping system used by the VAMC Spokane, WA.
- f. Amag Physical Access Control (PAC) system, video surveillance, and security system to seamlessly integrate into the existing system used by the VAMC Spokane, WA.

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4. Statutory Authority Permitting Other than Full and Open Competition:

41 USC §253(c), as implemented by FAR 6.302.

- (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;

commands, individual training, etc.). The result is increased overall complexity of the building management system, increased maintenance costs, decreased the level of integration, increased complexity of use, increased response times, increased risk of equipment failure, reduced quality of patient care and increased risk to patient safety.

Schneider Electric mechanical control systems do not integrate with other manufacturer control systems (see attached statement from Schneider).

- e. The VAMC, Spokane, Washington, is currently using Hilti Fire stopping Systems throughout the medical center and has trained the engineering staff on the proper use, application and inspection of Hilti Fire stopping Systems.

Joint Commission standard LS.01.01.01 Life Safety Standards requires full compliance with the National Fire Protection Agency's (NFPA) Life Safety Code and Fire Walls and Fire Barriers Code. The NFPA's code requires that the fire stopping system be fire rated by Underwriters Laboratories (UL).

The various manufacturers of fire stopping systems have had their individual systems tested and fire rated by the UL. The testing is based on using one brand of fire stopping material. If multiple brands are used it is possible that multiple brands could be used in the same assembly. Because the various manufacturers have not co-mingled their products for testing purposes, the UL fire rating would be void if brands are co-mingled in application. See attached letter from Hilti.

Co-mingling of fire stopping systems has three serious consequences: (1) it will void the UL rating; (2) it will void the manufacturer's warranty; and (3) it may jeopardize the hospital's accreditation.

Based on these factors, it is in the best interest of the VA to sole source the fire stopping system to Hilti.

- f. PAC systems are proprietary systems. The software code of PAC systems from various manufacturers is not compatible. Based on the incompatibility of software code, integration with PAC systems between various manufacturers is not possible. Multiple PAC systems would increase hardware and software requirements (separate main servers, separate databases, different control logic capabilities, different types of sensors, different displays and interfaces, different commands, individual training, etc.). The result is increased overall complexity of the facility's physical access controls, increased maintenance costs, decreased the level of integration, increased complexity of use, and increased risk to patient and staff safety.

The specified Amag PAC system is compliant with HSPD-12 and is a proprietary system (see attached statement from Amag).

() (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):

- a. The Mann-Grandstaff VAMC is currently using Likorall patient lift systems throughout the medical center. The systems are highly reliable, and easy to use. Patient lift systems are important for the safety of patients and staff. Spare parts are stocked and the use of a different brand of lift system would require the facility to maintain larger inventories of spare parts, increasing costs and spare requirements.

Other manufacturers' components are not compatible with the Likorall brand.

- b. The Spokane VAMC owns a Best brand lock core system, maintains an appropriate supply of Best brand cores and has personnel trained to use the Best brand core system. It is not economical or efficient to install any other brand of core system into the new building as that would require the facility to somehow support an additional lock coring system, which would increase logistical considerations for access control, training, inventory and maintenance. Adding another brand of lock core systems may increase the risk of error potentially impacting security and patient safety in a negative manner.

The only component of the lock hardware that is being sole sourced is the cores. The remaining hardware can be any brand that will accept Best brand cores.

- c. The VAMC, Spokane, Washington, currently has an Edwards Fire Alarm and Protection System. The National Fire Protection Agency (NFPA) requires medical centers to maintain a fully integrated fire detection and notification system. NFPA compliance is monitored by the Joint Commission.

The medical center currently maintains a fully operational Edwards Fire Alarm and Protection System. Edwards systems are proprietary and do not accept integration with other manufacturers' systems (see attached statement from Edwards). Multiple fire detection and alarm systems would create a violation of the NFPA code and may jeopardize the medical center's accreditation by the Joint Commission. Even more serious is the potential risk to patient and staff safety.

- d. The VAMC, Spokane, Washington, currently has a Schneider Electric mechanical control system at the facility. An integrated building management system, which includes the mechanical control system, is required to meet the President's goals for energy reduction. Multiple control systems would increase hardware and software requirements (separate main servers, separate databases, different control logic capabilities, different types of sensors, different displays and interfaces, different

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

The VAMC Spokane WA is currently using all six of the items listed above. Again, it would not be economical or efficient to install any other brand. The selection of the items already in place was the result of a previous competitive procurement.

In accordance with the Competition in Contracting Act (CICA), the overall procurement will be competed; and will be issued as an invitation for bid (IFB) and will be 100% set-aside for SDVOSB concerns.

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

Fair and reasonable pricing will be established based on competition received.

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

All market research was performed by the architect-engineering firm of record, KMA Inc. to secure prices for the government estimate. These sources have been identified by KMA as a result of the contract to design the Mental Health and Education Building and all these items are already currently in place throughout the Spokane VA Medical Center which carry proprietary rights and are not compatible with other manufacturers systems. Approval of these items as brand name is critical for overall efficiency of the completed project and the VAMC Spokane, WA facility as a whole.

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

None noted.

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

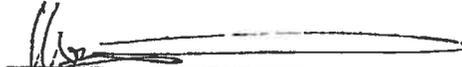
See paragraph 8, above. It is the responsibility of the bidders and the successful general contractor to locate suppliers and obtain pricing for all building materials and components, including the items listed in this justification.

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 suppliers of the items and to submit a competitive bid for the project.

All subsystems and components listed in this justification were originally competed and the product offering the best value to the government was selected at that time. In the event the subsystems and components are ever replaced on a facility-wide basis, the procurement to replace the products will be competed in accordance with all procurement laws and regulations.

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.



Dean Fowler,
Chief, Facility Management Service
Mann-Grandstaff VAMC

June 29, 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.

CHARLENE C. DUNCAN 376133 Full name (where the character C stands for Charlene C. Duncan) and the character 376133 represents the unique ID number assigned to Charlene C. Duncan by the Department of Veterans Affairs.

Charlene Duncan, Contracting Officer
NCO 20 Construction Team

07/08/2015

Date

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

Richard G. Steffey
917188

Digitally signed by Richard G. Steffey 917188
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Nicholas M. Jenkins
Director of Contracting
Network Contracting Office 20

09JUL2015

Date