

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

The activity for this requirement is the Department of Veteran Affairs Medical Center (VAMC), located at 1700 South Lincoln Avenue, Lebanon, PA 17042. The contract is being administered by Network Contracting Office 4 (NCO4), located in Wilkes Barre (WB), Pennsylvania. This is a Justification and Approval for Other Than Full and Open Competition Brand Name Only for Siemens security system which is a small portion of the construction materials requested on Purchase Request 595-15-3-5482-0040; NRM Project—Construct Utility Plant 595-13-101.

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

Request for other than full and open competition — use of brand name specification for the Construct Utility Plant. Contractor shall furnish management, supervision, labor, transportation, equipment, and materials, and perform work to include general construction, alterations, mechanical and electrical work, and certain other items as required by project drawings and specifications for Project No. 595-13-101 Construct Utility Plant. This acquisition is fixed-firm price.

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

Security System —Siemens: The furnishing, installation, and connection of a Siemens Access Control System, including alarm initiating devices, alarm notification appliances, control units, monitors, annunciators, power supplies, and wiring.

[REDACTED]

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

- 41 USC §253(c)(1), as implemented by FAR 6.302-1.
- (X) (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):

Security System — Siemens: Restriction of sources for this acquisition is justified in accordance with FAR 8.405-6(b)(3), the item is peculiar to one manufacturer. Although there are other manufacturers of security system equipment that can meet the Government's minimum requirements, it is not in the Government's best interest to award an acquisition to any other brand. The Siemens security system is exclusively used at this facility and it is in the VA's best interest to maintain consistency of the life safety system. Use of other manufacturers would lead to storing additional inventory, functioning issues due to non-compatibility with existing equipment, multiplicity of service contracts, and increased training and operator requirements.

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

A Notice of Intent to Sole Source Siemens security system will be posted on FedBizOpps with the solicitation. Offerors will be able to obtain Siemens security system from various distributors and sources available in the open market.

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

Based on the information above, it is hereby determined that this written justification for a particular brand names, is essential to the Government's requirements, and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet the agency's needs. Therefore, these products will be specified as a brand name for this construction project as only these products meet the Government's needs. This procurement is an RFP, resulting in a firm-fixed price contract award. The contracting officer, IAW FAR 13.106-3(a)(1), anticipates the offered price to be fair and reasonable based on adequate price competition. Certified Cost or pricing data and audits are not required.

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

The existing security system throughout the entire Lebanon VAMC facility is Siemens. Per the market research completed, the PIV badge sensors can be different brands, but the area controllers must be Siemens, because of the Siemens head end equipment. A separate security system cannot tie into the Siemens backbone.

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

All the specifications and drawings and engineering descriptions associated with Project #595-13-101 have been developed identifying the Siemens security system as the standard system throughout the Lebanon VAMC.

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

See Section 6 above.

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:

In the future if there is a requirement to re-alarm the entire facility with a new security system, that requirement would be competed.