

**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 office administering the contract is Network Contracting Office 4 (NC04), located in Wilmington, Delaware. This is a Justification and Approval for Other Than Full and Open Competition Brand Name Only for BEST access systems which is a small portion of the construction materials requested on Minor Project No. 595-335, Construct ICU/MED/SURG.

**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 on Construct ICU/MED/SURG 595-335. 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. 595-335 Construct ICU/MED/SURG.

This acquisition is fixed-firm price.

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

Locks and Latches — BEST access systems — see Specification Section 08 71 00: The furnishing of BEST access systems products that utilize the Great Grand Master key system with cores having no less than 7 pins.

Estimated value - \$40,827

**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):**

Locks and Latches — BEST access systems — see Specification Section 08 71 00: 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 access systems 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. BEST access systems are exclusively used at this facility and it is in the VA's best interest to maintain consistency of the security 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 BEST access systems will be posted on FedBizOpps with the solicitation. Offerors will be able to obtain BEST access systems 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 Locks and Latches throughout the entire Lebanon VAMC facility is BEST access systems. The Locks and Latches require the same manufacturer in all facilities throughout the campus. Per the market research conducted, different manufactures would require additional equipment for lock and key cutting, different brand keys, multiple Grand master keys that would drastically increase overhead for lock control. Also, the Best system has the unique "figure 8" style lock core, which other brand keys and cores do not fit.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** II the specifications and drawings and engineering descriptions associated with Project #595-335 have been developed identifying the BEST access systems 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-key the entire facility, that requirement would be competed.

**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.

Thaddeus S. Kocuba  
Facility Manager  
Lebanon VA Medical Center

Date: 12/4/2015

