

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Network Contracting Office (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:** The “Improve Site Utilities” purpose will replace two incoming water lines and upgrade the fiber optic backbone paths/cables, parking garage security cameras, entrance door physical security, warehouse physical perimeter barrier, site lighting, and emergency generator exhaust dispersal. The project includes general construction, alterations, structural, mechanical, plumbing, fire protection, and electrical work, utility systems, asbestos abatement, and necessary removal of existing structures and construction.
3. **Description of Supplies/Services Required to Meet the Agency’s Needs:** The fire alarm notification system and all associated equipment are required by NFPA 72 (National Fire Alarm Code). “Notifier” is the existing fire alarm system in the hospital, and only parts, software and firmware from the same manufacturer will work with the system. Signal devices of another manufacture may work with the “Notifier” panels but are not acceptable based on tested and approved UL listing. The estimated value of the “Notifier” materials is \$10,000.
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).

 - (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).** Provide notification of fire alarm, supervisory, and trouble conditions; to alert the occupants; to summon appropriate aid; and to control fire safety functions. Required by NFPA 72 Fire Alarm Code. The “Notifier 3030” panels and associated equipment perform all required functions of the NFPA 72 Fire Alarm Code.
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 synopsis on Fed Biz Ops (www.fbo.gov) as an Invitation for Bid (IFB) and will indicate a Brand Name Requirement in the specifications and drawings for

the “Notifier” Fire Alarm. Since the entire construction project 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 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.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** No other manufacturer will integrate with the existing system.
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. (Market research will be completed on the entire construction project).
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 – 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.

Kurt Rothermel
COR
Louis Stokes Cleveland VAMC

2/3/2016
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

3-01-2016

Date

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

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

Date