

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval (J&A)

#### For

### Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Erie Medical Center
2. **Nature and/or Description of the Action Being Processed:** Acquisition of proprietary Johnson Controls Metasys System for use in the Erie VA Medical Center Emergency Power Generation NRM Project 562-14-112.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Erie VAMC currently utilizes the Johnson Controls Inc, Metasys Building Automation and Control Systems (Metasys System) as the overall control for all Heating, Ventilation and Air Conditioning (HVAC) systems in the main hospital building (Building #1) and all surrounding buildings. The Metasys System shall be utilized as the main control system for the new Emergency Power Generation project at the Erie VAMC. The Metasys system allows for 24-hour/7-days/week continuous monitoring of all HVAC equipment installed on the Erie VAMC Campus. These control systems are required for a 100% fully compatible HVAC Controller System to be utilized at the above mentioned site. The item is being sole-sourced under a larger construction project that will be competed as a 100% Service-Disabled-Veteran-Owned-Small-Business (SDVOSB) set aside. Estimated Cost = \$40,000.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( 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):** The acquisition is authorized pursuant to 10 U.S.C. 2304(c)(1.), and is implemented by FAR 6.302-01(c.). Only one responsible source and no other supplies or services will satisfy agency requirements.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Any action to increase competition for the supplier of the HVAC control systems would cause an undue hardship on the Erie VA Medical Center, who has been making a conscious effort to standardize their HVAC control systems in the past in an effort to increase the control of all critical aspects of the HVAC system. The installation of a system which is not compatible to the present Metasys System would cause increased maintenance problems through false alarms, incorrect temperature control and equipment monitoring of critical HVAC systems utilized in a surgical environment. There would be an increase in acquisition cost by

having to purchase the front-end hardware/ software and would still involve disjointed systems without integrity and an unmanageable HVAC Control system

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** This item is being sole sourced under a larger construction project that will be competed as 100% Service-Disabled-Veteran-Owned-Small-Business (SDVOSB) set aside. Therefore, competition will be provided on the base contract which will lead to a fair and reasonable price.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Further market research was not conducted based on same content provided in paragraph 6 above.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** N/A
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:** N/A
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.

\_\_\_\_\_  
Name: Robert Petrone  
Title: General Engineer  
Facility: Erie VA Medical Center

12.May, 2016  
Date

13. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**

- a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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Name: Donald J. Kalivoda  
Title: Contracting Officer  
Facility: Network Contracting Officer 4

05/12/2016  
Date

- b. **Director of Contracting /Designee:** I certify the justification meets requirements for other than full and open competition.

05/12/2016

\_\_\_\_\_  
Name: Michael G. Koontz  
Title: supervisor, Construction Team West  
Facility: Network Contracting Office 4

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Date