

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

**1. Contracting Activity:** Department of Veterans Affairs, NCO 12, VA Medical Center in Tomah, WI. The applicable Purchase Request number is 676-12-1-6985-0009.

**2. Nature and/or Description of the Action Being Processed:** There is a subcontracting requirement within an Invitation for Bids (IFB) that can only be performed by utilizing Johnson Controls as the sole subcontractor. The subcontract work includes utilizing the Johnson Controls Pegasus 2000 system (P-2000) and their Milestone Software as the base platform for the Tomah VAMC unified physical security system, which brings video surveillance, Personal Access Card System (PACS), intrusion alarms, motion sensors, and code alarms into one seamless and complementary system where the all elements of the physical security system work together. The only alternative to using the P-2000 would be to replace over \$1,000,000 worth of physical security equipment. By using the P-2000, the Government would retain the existing PIV, motion sensors and intrusion and code alarms since they are already integrated and controlled by the P-2000. This justification is sought to preclude consideration of a product manufactured by another company in accordance with FAR 11.105. The Johnson Controls portion of this project will be a subcontracting opportunity within a project that is to be awarded as a new firm-fixed-price contract. It is being awarded as an IFB utilizing FAR Part 14 procedures.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** The subcontracting requirement is to engineer, furnish, install, and test the hardware and software needed to expand the existing campus video surveillance system by 48 cameras and integrate both the 87 existing cameras and the 48 new cameras into the P-2000 platform. [REDACTED] The period of performance for the entire contract will be 120 calendar days from award.

**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.

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Johnson Controls is the only company that has access to the proprietary software and hardware that forms the foundation of this entire effort. Additionally, IAW FAR 6.302-1(a)(2)(ii), the expansion of the P-2000 physical security server is deemed to be continued development of highly specialized equipment and therefore available only from the original source (Johnson Controls). Award to another source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition and unacceptable delays in fulfilling the agency's requirements. If another subcontractor was awarded the subcontract work, it would need to subcontract to Johnson Controls as a 3<sup>rd</sup> tier subcontractor since both the P-2000 and the associated Milestone Software are proprietary, or they would need to build a totally new physical security platform to integrate all campus alarms, video, PIV, motion sensors, and intrusion alarms into one unified system. This would result in the Government purchasing another system which would be a substantial duplication of cost to the Government and it would take a significant amount of time which would delay the agency being able to fulfill its requirements.

Accordingly, Johnson Controls is the only firm capable of providing the supplies and services described in paragraph 3 above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research was conducted and although other companies such as Stanley Security Systems and Global Comm could provide the cameras, only Johnson Controls could interface and program the cameras and monitors. Additionally, neither Stanley nor Global Comm could meet the support requirements for PIV.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost will be considered fair and reasonable. The procurement will be awarded utilizing FAR Part 14 procedures. It is anticipated that there will be adequate price competition and therefore cost or pricing data will not be required but price analysis will be used to verify that the overall price offered is fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See paragraph 6.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See paragraph 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:** No actions are planned. There are no follow-on acquisitions anticipated for this work.

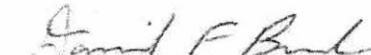
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Timothy O'Brien  
Supervisor, Maintenance and Operations  
Tomah VAMC

12 June 2012  
Date

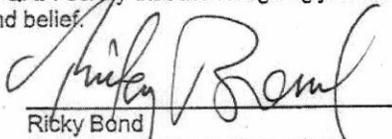
13. **Approvals in accordance with FAR 6.304**

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

  
Daniel F. Burk  
Contracting Officer  
NCO 12 Great Lakes Acquisition Center

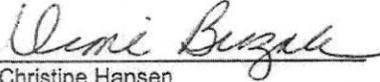
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b. **VISN/PCA QA:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
Ricky Bond  
Construction Team Supervisor  
NCO 12 Great Lakes Acquisition Center

11/13/12  
Date

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



Christine Hansen  
Network/Program Contract Manager  
NCO 12 Great Lakes Acquisition Center

1-13-11  
Date