

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 618-17-3-6023-073

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide *original manufacturer's* name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Johnson Controls Inc. _____

Manufacturer/Contractor POC & phone number: Mike Brown, 763-585-5090

Mfgr/Contractor Address: 2605 Fernbrook Lane North, Suite T, Plymouth, MN 55447

Dealer/Rep address/phone number: _____

The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

VA Health Care System

NCO23 Black Hills Contracting Office

113 Commanche Road, Bldg 46

Fort Mead, SD 57741

VISN: #23 _____

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

A Task Order will be awarded on a sole source basis for the procurement of repairs, services and modifications for the Metasys Building Automation System.

The Metasys System is an automated, computerized control and monitoring system for control and monitoring of critical building systems, such as emergency generators, domestic water supply and fire suppression system pumps; also controls systems for heating, air conditioning and humidity for the entire medical center, including the most critical direct patient care areas such as operating rooms, isolation rooms, and sterile processing areas.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

(4)

Johnson Controls, Inc. shall provide maintenance and support for the VA-owned Metasys Building Automation system. This network is quite extensive, with devices located throughout the main hospital and outbuildings located at One Veterans Drive, Minneapolis, Minnesota and multiple buildings at nearby Fort Snelling. The vendor must provide 24 hours per day, 365 days per year service response. In addition to temperature and humidity alerting through its proprietary computer system, Johnson Controls, Inc. shall also provide

text message alerts to VA personnel as required. Johnson Controls, Inc. shall also provide periodic evaluation of the monitoring system to ensure that the needs of the VAHCS are being met. Monthly reports shall be submitted to the VAHCS, providing a summary of the work performed, level of current efficiency, and any recommendations for improvements or required changes. Johnson Controls, Inc. shall provide software updates, as they become available, to keep the system working efficiently and securely designed. The service shall cover the time period between April 1st, 2017 and March 31st, 2018 with a single, one year option to extend. The current federal contract being used is #GS-06F-0060P.

(b) ESTIMATED DOLLAR VALUE: \$415,111.92; Includes base + option year 1

(c) REQUIRED DELIVERY DATE: April 1st 2017

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

Johnson Controls, Inc. is the sole maker/manufacturer of the Metasys Building Automation System, including hardware and software components. Johnson Controls, Inc. is the only vendor to provide Metasys hardware, software, support and maintenance services for this proprietary system. It has been verified that there are no other vendors listed on the federal supply schedule, for support of the Johnson Controls building automation system.

A patent, copyright or proprietary data limits competition. The proprietary data is: (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

The software in use on the Metasys server as an integral component of the support system and is proprietary software created and supported exclusively by Johnson Controls, Inc.

These are "direct replacements" parts/components for existing equipment. All replacement hardware and software for Metasys is proprietary to Johnson Controls, Inc. and no other vendor can supply parts or software that is compatible with the Metasys system.

The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system. The Minneapolis VA Health Care System uses the Johnson Controls Metasys system exclusively for control and monitoring of critical building systems, such as emergency generators, domestic water supply and fire suppression system pumps; also controls systems for heating, air conditioning and humidity for the entire medical center, including the most critical direct patient care areas such as

operating rooms, isolation rooms, and sterile processing areas. **All replacement hardware and software for Metasys is proprietary to Johnson Controls, Inc. No other vendor can supply parts or software that is compatible with the Metasys system.**

The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.
This system controls and monitors the most critical building systems of which the proper control and function has a direct effect on patient care. It is extremely important that the system be maintained continuously, without interruption. Patient safety would be severely compromised if the system were allowed to lapse.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

Johnson Controls has provided the system components, software, maintenance and support to the Minneapolis VA Medical Center since 1987 when the main hospital was built. They have performed very well and provided excellent service of a highly technical, proprietary system.
Johnson Controls, Inc. is the only company with past performance regarding Metasys hardware, software and support services in VA Healthcare facilities across the country.
Johnson Controls, Inc. is the only vendor with specialized knowledge of our facility to provide effective ongoing support and maintenance services.
Johnson Controls, Inc. is the only vendor that has staff qualified and experienced in providing maintenance and support for the Metasys system.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

It is verified through internet search and discussion with company reps that Johnson Controls, Inc. is the only authorized distributor of maintenance / repair for Metasys. It is a proprietary system; there are no SDVOSB/VOSB's verified or others authorized to perform the work.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

No other facts to present at this time.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

The VA will continue to determine if Johnson Controls provides third party vendor training and support for their proprietary products. The VA will continue to check the Federal Supply Schedule and open market for other vendors listed for this proprietary product and support.

(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

		02/01/2017
SIGNATURE		DATE
Theodore M. Steidl	Maintenance Supervisor	Facilities Engineering
NAME	TITLE	SERVICE LINE/SECTION
<u>Minneapolis VA Health Care System</u>		
FACILITY		

(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM, Volume 6, Chapter VI: OFOC SOP](#): *This part if filled out by Contracting Staff as part of the Justification*

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

CONTRACTING OFFICER'S SIGNATURE	DATE
Donald R. Gilbert, Contracting Officer	Black Hills
	FACILITY

b. Director of Contracting/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

	3/16/2017
SIGNATURE	DATE