

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Erie VA Medical Center
2. **Nature and/or Description of the Action Being Processed:** Acquisition of proprietary Johnsons Controls Metasys System for use in the Erie VA Medical Center Renovate 6th Floor East for Domiciliary- NRM Project 562-16-202.
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 and Ventilation and Air Conditioning (HVAC) systems in the main hospital building (Building 01) and all surrounding buildings. The Metasys System shall be utilized as the main control system for the new Domiciliary project at the Erie VAMC. The Metasys System allows for 24 hour/7 day/week continuous monitoring of all HVAC equipment installed on the Erie VAMC campus. These control systems are required for a 100% fully compatible HVAC Control System to be utilized at the above mentioned site. This item is being sole sourced under a construction project that will be a competed as a 100% Service Disabled Veteran Owned Small Business (SDVOSB) set aside. Estimated Cost - \$5,000
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 6.302-1(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 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

systems. 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 a competed as a 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 provide 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: Douglas Pollock
Title: Energy Engineer
Facility: Erie VA Medical Center

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.

Name: Donald Kalivoda
Title: Contracting Officer
Facility: Network Contracting Office 4

02/27/2017

Date

- b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name: Michael Koontz
Title: Supervisor, Construction Team West
Facility: Network Contracting Office 4

Date