

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval (J&A)  
For  
Other Than Full and Open Competition (>\$150K)**

**Acquisition Plan Action ID: VA263-17-AP-11466 METASYS Hardware/Software Upgrade**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, Fargo ND NCO 23, 636-18-1-8891-0001 METASYS Hardware/Software Upgrade

2. **Nature and/or Description of the Action Being Processed:**

A firm fixed priced delivery order for VA263-17-AP-11466 METASYS Hardware/Software Upgrade. Metasys is a building automation system that connects commercial HVAC, lighting, security and protection systems enabling them to communicate on a single platform to deliver the information.

**FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for supplies in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Sole Source Justification Format >\$150K

<b>Labor: GSA Federal Supply Schedule Contract</b>						
Contract Number	Special Item # (SIN)	Labor Category/ JCI Part #	Description	#	Unit Price	Proposed Price
GS-07F-190CA	246-51	Building Automation Lead Systems Specialist	X Branch Regular Time Rate	384	\$83.11	\$31,914
GS-07F-190CA	246-52	Project Manager	X Branch Regular Time Rate	96	\$102.90	\$9,878
GS-07F-190CA	246-52	System Engineer	X Branch Regular Time Rate	64	\$135.55	\$8,675
<b>Total GSA Labor</b>						<b>\$50,468</b>
<b>Labor: Open Market</b>						
Open Market		n/a	Electrician	600	\$60.00	\$36,000
Open Market		n/a	Demolition	0	\$0.00	\$0
<b>Total Open Market Labor</b>						<b>\$36,000</b>
<b>Total Labor</b>						<b>\$86,468</b>
<b>Materials: GSA Federal Supply Schedule Contract</b>						
GS-07F-190CA	246 42 1	NS-BHR7103-0	NS-BHR7103-0 SENSOR	28	\$271.36	\$7,598
GS-07F-190CA	246 42 2	DPT2640-OR1B	DP TRANS DIF, -0.1 TO 0.1	28	\$134.36	\$3,762
GS-07F-190CA	246 42 2	RPS	RPS Snubber	56	\$18.00	\$1,008
GS-07F-190CA	246 42 2	MS-ADXSWOSQL-0P	APP DAT SQL 25NEW-PREVIOSADX25USR SRV, NEW SW, SQL	1	\$35,895.48	\$35,895
GS-07F-190CA	246 42 2	PAKG00001AH4	FEC2611,20X24,DISP	28	\$1,095.93	\$30,686
<b>Total GSA Materials</b>						<b>\$78,950</b>
<b>Materials: Open Market</b>						
Open Market		TUBING-250	POLYETHYLENE TUBING; BLAC	2	\$318.23	\$636
Open Market		Redundant Servers	New Servers	1	\$38,562.00	\$38,562
Open Market		RPS	RPS Snubber	56	\$18.09	\$1,013
<b>Total Open Market Materials</b>						<b>\$40,212</b>
<b>Total Materials</b>						<b>\$119,161</b>
<b>Travel: Open Market</b>						
Open Market		Mileage	price per mile	5400	\$0.575	\$3,105
Open Market		Air Fares	(price per roundtrip)	1	\$650.00	\$650
Open Market		Per Diem	(priced per day)	4	\$50.00	\$200
Open Market		Lodging	(priced per night)	4	\$170.00	\$680
<b>Total Travel</b>						<b>\$4,635</b>
<b>Total Proposed Price</b>						<b>\$210,264</b>

4. **Statutory Authority Permitting Other than Full and Open Competition:** The Metasys system needed by the Iowa City VA is available from only one responsible source (Johnson Controls) and no other type of property or services will satisfy the needs of the Iowa City VA.

- (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;

**FAR13.5 Simplified Procedures for Certain Commercial Items:**

Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Metasys is a registered trade mark of Johnson controls. Johnson Controls is the only firm capable of providing the upgrade supplies and services described in Section III 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.

Cost duplication encompasses VA labor & time to compete evaluate replacement, disposal of previous system, installation, implementation, training & maintenance. Metasys is currently in place no further training is needed. No need to replace the whole system.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

2 sources sought notices were published 9/11/17 to FBO (VA26317N1197) & SEWP (Request #73438) for the requested METASYS Hardware/Software Upgrade. Both were for full & open competition. Zero responses were received for VA26317N1197. 9 vendors responded to SEWP Request #73438 but all were unable to provide the items sought. FPDS search utilizing keyword "Metasys" yielded many awards explicitly sole sourced to Johnson Controls.

**7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:**

Johnson Controls Metasys items & labor are included under GSA contract GS-01F-19CA which are already determined fair & reasonable.

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

VIP search was performed 9/11/17 utilizing naics 334290 and keywords "metasys". Zero matches were returned.

As described in Section 6 above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties. No positive responses from both RFIs.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** Metasys is a proprietary system solely distributed by Johnsons Controls.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Johnson Controls

**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:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
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**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  
Title  
Facility

\_\_\_\_\_  
Date

**13. Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP](#): *This part if filled out by Contracting Staff as part of the Justification***

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.

\_\_\_\_\_  
Darryl Moon  
Contracting Officer

11/8/2017

\_\_\_\_\_  
Date

b. **One Level Above the Contracting Officer (Required over\$150K but not exceeding \$700K)**: I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Scott Petrin  
Branch Chief

\_\_\_\_\_  
Date