

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:**

Veterans Health Administration (VHA), Program Contracting Activity Central (PCAC)

The proposed procurement, Request For Proposal (RFP) 36E77618R0062 is for Research Addition JP Minor Construction project at the Jamaica Plain VAMC.

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

This justification is to support the Research Addition JP Minor Construction project at the Jamaica Plain VAMC that will be awarded as a firm-fixed price contract. This justification is for other than full and open competition for the procurement of certain construction materials. The use of a particular brand name for the items listed below accommodates standardization of these items throughout the facility.

- a. Fire Alarm Programing
  - i. SIGNET
- b. Energy Management Control System Programming
  - i. American Energy Management

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

This procurement is to construct the Research Addition JP Minor Construction project at the Jamaica Plain VAMC. The scope includes everything necessary to construct a functional building that meets the requirements of the Department of Veterans Affairs. There are two brand name items listed for which the VA is not able to accept equal or alternate items. The value of these items is listed below and the VAAR Construction magnitude for the entire project is between \$5,000,000 and \$10,000,000.

- a. Fire Alarm Programming
  - i. SIGNET
  - ii. Value: \$
  - iii. Unique Qualifications: License holder to Proprietary System, only entity qualified to install/program additional equipment into existing Fire Alarm System.
- b. Energy Management Control System Programming
  - i. American Energy Management
  - ii. Value: \$
  - iii. Unique Qualifications: License holder to Proprietary System, only entity qualified to install/program additional equipment into existing energy management software.

**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; 41 USC §253(c)(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):**

These items have been standardized throughout the Jamaica Plain VAMC located at 150 South Huntington Avenue, Jamaica Plain, Massachusetts 02130. Installing a different manufacturers' system will create significant duplication in cost for the facility, and in most cases the equipment will not function properly. The specific impact for not using the brand name items is listed below:

- a. Fire Alarm Programming
  - i. SIGNET
  - ii. Impact: Alternative entity would require recertification of entire facilities Fire Alarm System and subsequent retraining of facility staff on operation.
- b. Energy Management Control System Programming
  - i. American Energy Management
  - ii. Impact: Alternative entity would require reprogramming and licensing certification of entire facilities Energy Management System and subsequent retraining of facility staff on operation.

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

In accordance with the Competition in Contracting Act (CICA), the components listed above are identified as brand name; however, the overall procurement will be competed as a Service-Disabled Veteran-Owned Small-Business (SDVOSB) Set-Aside. This Justification for Other Than Full and Open Competition will be posted to Federal Business Opportunities with the solicitation.

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

The design was completed by PDT Architects. PDT Architects provided a complete government estimate. The anticipated price to the Government for the items requested to be brand name is approximately \$.

The items for which brand name approval is being requested are subsequent components to the overall construction project. This procurement will be competed and based on competition; the Contracting Officer will make a determination of fair and reasonable pricing prior to award.

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

The market research for the design and equipment was conducted by PDT Architects to secure prices for the government estimate, and was shared with the Contracting Officer and Contracting Officer's Representative (COR) for further review. The Contracting Officer and COR were in concurrence with information provided in the estimate that supported the brand name items. These sources have been identified by PDT Architects as a result of their contract to design this project. Approval of the items as brand name only is critical for the overall efficiency of the completed project and the VACIHS facility as a whole.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

New components must be able to tie into an existing and operational system including the use of software. At this time, there are no competing vendors whose products are fully compatible with the existing system being used at Jamaica Plain VAMC located at 150 South Huntington Avenue, Jamaica Plain, Massachusetts 02130.

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

Not applicable. It is the responsibility of the offerors and the general contractor awarded the project to locate suppliers and obtain pricing for all materials and components, including the items listed in this justification.

**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:**

There will be competition for the overall procurement. It will be the responsibility of the offerors to obtain pricing from the suppliers of the items and to submit a competitive proposal for the project.

**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.

**DENIS J MCLAUGHLIN**  
**581645**

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Denis McLaughlin III  
General Engineer

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MCLAUGHLIN 581645  
Date: 2018.04.16 14:13:00 -04'00'

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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.

**Scott C. Elias**  
**202867**

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NAME  
Scott Elias  
VHA Program Contracting Activity Central (PCAC)

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Elias 202867  
Date: 2018.04.18 13:59:13  
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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.

**John Yallech**  
**189260**

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John Yallech, Jr.  
Supervisory Contracting Officer  
VHA Program Contracting Activity Central (PCAC)

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John Yallech 189260  
Date: 2018.04.24  
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