

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Network Contract Office 10 (NCO 10), Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.
2. **Nature and/or Description of the Action Being Processed:** This project is named “Palliative Care – TCU Expansion” and is a project that will renovate approximately 2,000 square feet of interior space as well as build out an additional 1,000 square feet located on the northwest side of the third floor. The build out will convert an existing open porch into a therapeutic enclosed atrium. The interior porch will also require new HVAC, Electrical and Fire Suppression Systems. The interior renovation area will be gutted and reconfigured into a Patient Living Room, Private Dining Room, Nourishment Room, and Patient Lounge/ Kitchen.
3. **Description of Supplies/Services Required to Meet the Agency’s Needs:** The Andover direct digital control (DDC) system is required to provide electronic positioning of valves and dampers in the medical facility’s HVAC system. The system is programmable and the program code can be customized to control time schedules, set points, controllers, logic, timers, trend logs, and alarms. The system, when properly integrated, can administer controls for the HVAC systems for the entire medical center. The estimated value for the Andover DDC system materials is \$15,200.
4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).  
  
  - ( 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).** Each of the different manufacturers uses a proprietary programming language for their control system. The medical center needs to have one comprehensive system that can be used to control the entire system and techs that are familiar with the programming and operations of the system. Currently the Andover DDC system is used for 95% of the facility’s existing systems. Other manufacturer’s systems use different communications, graphics, and software which are difficult for the techs to keep track of and maintain. Other manufacturers have sold their system to the medical center with the promise that it could communicate with the existing system only to find out that it could not.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This procurement will be competed and synopsisized on Fed Biz Ops ([www.fbo.gov](http://www.fbo.gov)) as an Invitation for Bid (IFB) and will indicate the requirement for brand name specification (Andover) regarding the DDC Controls. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated that two (2) or more bids will be received through the sealed bidding process. If two (2) or more bids are received then the cost of the entire project will be considered fair and reasonable to the government based on competition.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Johnson Controls and Trane have been investigated. Their systems are able to control the equipment; however, they are incapable of properly communicating back to the existing Andover systems which have been installed in over 95% of the medical center.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. See Items 5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None. (Market Research will be completed for the entire construction project).
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:** Not Applicable – See Item 5.
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.



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Name  
Richard E. Clark  
COR  
Louis Stokes Cleveland VAMC

\_\_\_\_\_  
03/20/2018  
Date

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

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

DIANA J. PITTMAN

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