

# 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) 36E77618R0105 for the Upgrade Cath Lab 2 Site Prep project at the Minneapolis VA Medical Center.

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

This justification is to support the Upgrade Cath Lab 2 Site Prep project at the Minneapolis VA Medical Center, 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. Stanley Magic Force Door Operators
  - i. Stanley
- b. Lenel HD card readers
  - i. Lenel HD
- c. Door Closers
  - i. LCN Brand
- d. Schlage "L" series Mortised Door Locksets
  - i. Schlage
- e. Electrical Distribution Panelboard
  - i. Cutler-Hammer
- f. Rauland Responder 1 Nurse Call Code Blue Stations
  - i. Rauland
- g. Equipment Booms
  - i. Skytron
- h. Panduit RJ45 data jacks, face plates, patch cords and patch panels
  - i. Panduit

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

Upgrade Cath Lab 2 Site Prep project at the Minneapolis VA Medical Center. The scope includes everything necessary to construct a functional building that meets the requirements of the Department of Veterans Affairs. There are eight (8) 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 \$2,000,000.00 and \$5,000,000.00.

- a. Stanley Magic Force Door Operators
  - i. Stanley
  - ii. Value: [REDACTED]
  - iii. Description: The Stanley Magic-Force swing door operators meets the full energy ANSI 156.10 (motion activated) or low energy ANSI 156.19 (knowing-act activated) standards. The Minneapolis VAMC currently has approximately 100 swing door operators installed in the hospital in various locations. The VA maintenance staff stocks parts and extra closers for repair of the existing door closers and is trained on their replacement.
- b. Lenel HD card readers
  - i. Lenel HD
  - ii. Value: [REDACTED]
  - iii. Description: This item includes reporting stations, pull stations, dome lights, code blue, code green, all required programming and system update and all other required parts of the nurse call system. The project involves a remodel of an existing cardiac catheterization operating room at the Minneapolis VAMC where several card readers will be required for secure access into the operating rooms.
- c. Door Closers
  - i. LCN Brand
  - ii. Value: [REDACTED]
  - iii. Description: This project will be installing new door closers in the operating rooms that match our existing closers. The facility currently has several thousand closers installed in the hospital. The VA carpenter shop keeps parts and extra closers in stock for repair and/or replacement of our existing door closers.
- d. Schlage "L" series Mortised Door Locksets
  - i. Schlage
  - ii. Value: [REDACTED]
  - iii. Description: This project will be installing new locksets on the new doors in the operating rooms that are the same brand and quality as the existing mortised locksets in the medical center and at the medical center out-buildings. The medical center has approximately 3,000 Schlage "L" Series mortised locksets installed in doors at the medical center with another 200-300 installed in doors in the out-buildings. The medical center currently stocks parts and extra locksets for only the Schlage "L" series mortised locks. The medical center locksmith is trained to service these locksets and maintain them in working condition.
- e. Electrical Distribution Panelboard
  - i. Cutler-Hammer
  - ii. Value: [REDACTED]
  - iii. Description: This item is to match the existing electrical distribution panels in the medical center and the out-buildings. The medical center currently has approximately 700 electrical distribution panels and another 100 in the out-buildings that are the Cutler-Hammer brand. The medical center electrical staff stocks parts for the Cutler-Hammer brand. The intent is to provide new electrical panels that match our building standard and avoid stocking parts for other brands of electrical distribution panels.
- f. Rauland Responder 1 Nurse Call Code Blue Stations
  - i. Rauland
  - ii. Value: [REDACTED]

- iii. Description: The project involves a remodel of an existing cardiac catheterization operating room at the Minneapolis VAMC where new nurse call code blue station will be required. System will include the connection to an existing main master nurse call controller station. All nurse call throughout the facility is Rauland Responder 4 and/or 5. New nurse call components must tie into the existing system, and only Rauland components are compatible.
- g. Equipment Booms
  - i. Skytron
  - ii. Value: [REDACTED]
  - iii. Description: This project will be installing two (2) new equipment booms that meet hospital requirements, including being compatible with the existing boom system in the operating room. The Minneapolis VAMC currently has 38 Skytron boom components and/or lights installed in operating rooms throughout the hospital.
- h. Panduit RJ45 data jacks, face plates, patch cords and patch panels
  - i. Panduit
  - ii. Value: [REDACTED]
  - iii. Description: Panduit cables and faceplates are required for maintenance purposes and labeling consistency. The Panduit patch cords, faceplates, and outlets are required so IT staff can identify which components are which, and what each is supposed to connect to in the IT closet. This is consistent throughout the hospital, so using other types would cause confusion and potential for misconnections, which would be a major risk on a security system, telephone systems and IT systems.

**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 Minneapolis VA Medical Center. Installing a different manufacturer's system will create significant duplication in cost for the facility, and in most cases the equipment will not function properly. The specific impacts for not using the brand name items are listed below:

- a. Stanley Magic Force Door Operators
  - i. Stanley
  - ii. Impact: No other door closer was found that meets the Minneapolis VAMC requirements, including matching the existing swing door while also being ANSI compliant. Additionally, the swing door operators have a unique appearance that makes it impossible to match with other brand name openers.
- b. Lenel HD Card Reader
  - i. Lenel

- ii. Impact: The intent is to install card readers that meet the Veterans Affairs National Security and Law Enforcement Directives. The facility security system is currently Lenel with HD readers and Lenel control boards. Readers must be compatible with Lenel and FIPS compliant. Other card readers are not compatible with these requirements. They have no way of connecting to our power boards or communicating with our system. A functional, communicating security system is a major safety requirement. Lenel zone control boards are also required to connect back to the Lenel system.
- c. Door Closers
  - i. LCN Brand
  - ii. Impact: The VA locksmith currently maintains the existing door closers. Adding a new brand of door closer would cause additional training for VA staff, maintenance time, and cost to stock parts. The VA carpenter shop keeps parts and extra closers in stock for repair and/or replacement of our existing door closers.
- d. Schlage "L" series Mortised Door Lockset
  - i. Schlage
  - ii. Impact: If a different lockset would be introduced into the medical center it would cause confusion for maintenance staff, contractors and would require the medical center to stock parts for different manufacturers at additional cost to the medical center.
- e. Electrical Distribution Panelboard
  - i. Cutler-Hammer
  - ii. Impact: The addition of another repair part that would need to be stocked would not only result in additional costs associated with the repair parts but also require VA labor to contract, order, stock, and inventory the additional repair parts. The Cutler-Hammer brand of electrical distribution equipment allows the electrical staff to respond to these electrical panels in an emergency without having to decide which brand of panel needs to be repaired and avoid the electricians from having to locate several brands of parts during emergency repairs. The emergency repair of these panels could result in patient safety during a malfunction if the correct repair parts are not available for installation.
- f. Rauland Responder 1 Nurse Call Code Blue Stations
  - i. Rauland
  - ii. Impact: All nurse call throughout the facility is Rauland Responder 4 and/or 5. New nurse call components must tie into the existing system, and only Rauland components are compatible. Having multiple nurse call systems within the facility is not cost effective or practical for patient safety. The facility does not have the correct headend or master stations to work with other nurse call brands. In addition, medical center staff is currently trained in the maintenance and operation of the Rauland system, and spare parts for that system are kept on hand. If other systems are brought into the facility, patient safety will be at risk because the staff may not understand how to respond to multiple systems. Repairs will also take longer.
- g. Equipment Booms
  - i. Skytron
  - ii. Impact: No other brand name equipment is compatible with the current Skytron system. Only Skytron equipment booms can be integrated with the existing operating room booms and lighting system. It would be impractical for an

emergency operating room to have multiple boom systems operational at the same time. Any other brand of boom equipment would not be compatible with the existing systems, requiring the replacement of the existing system to allow for compatibility. The replacement of the existing operating room boom system would adversely affect patient care as the room would be required to be renovated to accept the new systems. Replacing the existing boom systems would not be cost effective for the Government and would require surgeries to be rescheduled and staff to be trained on the new equipment.

- h. Panduit RJ45 data jacks, face plates, patch cords and patch panels
  - i. Panduit
  - ii. Impact: The Panduit system was selected because the face plate and outlet are of optimal shape and orientation. Other types have been tried, but they have been more susceptible to damage and harder to work with. IT staff must frequently access these when they're behind desks or above ceiling tiles, so the specified make and model saves a great deal of time and prevent unintentional damage. IT now keeps these components in stock, so bringing in others would cause excess maintenance time and require excessive additional components to be kept in stock.

**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 LHB, Inc (LHB). LHB provided a complete government estimate. The anticipated price to the Government for the items requested to be brand name is approximately

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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 LHB to secure prices for the government estimate, and was shared with the Contracting Officer and Contracting Officer's Representative for further review. The Contracting Officer and Contracting Officer's Representative were in concurrence with information provided in the estimate that supported the brand name items. These sources have been identified by LHB 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 facility as a whole.

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

All the specifications and drawings associated with this project have been developed identifying the brand name items as a requirement for the project. Standardization of most facility systems according to the preponderance of long term industry data results in substantially reduced costs for parts as well as maintenance and repair labor that far outweigh the potential savings to be had by full and open competition.

**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.

Mark A. Angell  
225366

Digitally signed by  
Mark A. Angell 225366  
Date: 2018.08.02  
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Mark Angell  
Engineering Technician  
Minneapolis VAMC

\_\_\_\_\_  
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.

Donald A. Marsh 1489406

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1489406

Date: 2018.08.02 22:27:50 -04'00'

Donald A. Marsh III  
Contracting Officer  
VHA Program Contracting Activity Central (PCAC)

\_\_\_\_\_  
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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Yallech 189260  
Date: 2018.08.03 11:10:11  
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John Yallech, Jr.  
Supervisory Contracting Officer  
VHA Program Contracting Activity Central (PCAC)

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Date