

LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: VA-18-AP-2354

1. **Contracting Activity:** Department of Veterans Affairs, VISN 01, Connecticut Healthcare System, Newington Medical Center 555 Willard Avenue Newington, CT 06111
Funding: 689-18-4-4829-0205
2. **Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program (41 U.S.C. 251 and 40 U.S.C. 501). The VA Newington has a requirement for continued maintenance and support services for their Emergency Management System, Siemens Apogee system. These services have been continuously procured sole source.
3. Order against: ☒ FSS Contract Number: GS-07F-217CA 09/01/2015-08/31/2020
Name of Proposed Contractor: Siemens Industry, Inc.

Street Address: 1000 Deerfield Parkway

City, State, Zip: Buffalo Grove, Illinois 60089

Phone: 703-483-2036

1. Description of Supplies or Services:

This is a full service/maintenance contract of the Apogee Building Automation Computer system, this contract is intended to minimize disruption of normal VA routines by performing preventive maintenance, adjusting and calibrating automation of pneumatic components, replacing defective components, responding to component failures and/or operating problems, providing training to operators and system administrators, providing software upgrades and documentation, providing application and technology consulting, providing information protection and recovery services, and by providing a program of quality assurance through contractor customer support systems, personnel and equipment.

The estimated value of the proposed action for a base and four (4) one (1) year options to include projected repairs and new equipment system integration is [REDACTED]

VHAPM Part 808.405-6 Limiting Sources
Attachment 2: Request for Limited Sources Justification Format >SAT

1. The following is covered under this contract:
 - a. All electronic and electrical components of the APOGEE Building Automation Computer System installed in Buildings 1, 2W, 2C, 2E, 3, 42, and 65 at the Newington campus including but not limited to:
 - i. One (1) Management level Network Server and Printer
 - ii. One (1) Management level Network Client Computer and Printer
 - iii. One (1) Management level Network Laptop Computer and Printer
 - iv. Seventeen (17) Modular Building Controllers and all associated components
 - v. Two (2) Mechanical Equipment Controllers and all associated components
 - vi. Ninety-seven (97) Terminal Equipment Controllers
 - vii. Two (2) PXCM Controllers and all associated components
 - viii. One (1) PXC-36 Controller and all associated components
 - ix. Calibration service will be done twice annually for the Carbon Monoxide and the Combustible Gas detectors in the Boiler Room.
 - x. All sensors, switches, relays, controllers, transmitters, and other electronic or electrical components required for proper operation of the System
 - b. Pneumatic: The following is covered under this contract:
 - i. All equipment related to pneumatic controls operated, monitored or controlled by the Siemens pneumatic systems, all pneumatically operated temperature control devices and all required pneumatic control air at the Newington Campus.
 - ii. Two (2) Pneumatic Control Air Compressor Stations including air compressor dryers, filters, pressure reducing station, pressure control switches, relief valves and any electronic or electrical components
 - iii. All pneumatically controlled actuators, switches, sensors, transmitters and any other pneumatic components of Building Service Equipment required for proper operation of the system
 - iv. All pneumatic thermostats and VAV actuating devices
 - c. Preventive Maintenance: Annually the following services shall be provided for each component of the system and all pneumatic controls and devices as it applies to them:
 - i. Network Analysis and Optimization. Siemens shall provide proactive calibration and tuning of the data network including an analysis of node tables, token passes, and turn speed, change in values over the network, unresolved points and overall operation. Written pre/post performance reports shall be submitted and reviewed with system administrators.

- ii. Control Loop analysis and Optimization. Siemens shall calibrate control loops to compensate for changes in mechanical efficiencies, building use and climate conditions to minimize overshooting and oscillatory changes.
 - iii. Software Analysis and Optimization. Siemens shall review software changes, review any points of alarm, failed points or points in operator priority, making necessary changes, corrections or repairs. Siemens shall furnish and install necessary online service technology. VA will furnish a dedicated telephone line.
 - iv. Automation controls Analysis and Optimization. Siemens shall provide preventive maintenance of automation controls. Siemens shall utilize standard maintenance routines and protocols established by manufacturer to assure proper operation and calibration.
 - v. Pneumatic Controls Analysis and Optimization. Siemens shall provide preventive maintenance of pneumatic controls and equipment. Siemens shall utilize standard maintenance routines and protocols established by manufacturer to assure proper operation and calibration.
 - vi. Software Back-up and Protection. Siemens shall provide back-up system workstation software, graphics and field panel databases. Siemens Shall provide safe storage of information. In the event of a catastrophic event, reload databases and system files from this back-up copy.
 - vii. Siemens shall provide annual software and documentation updates and onsite instruction of same.
- d. Repair and replacement of APOGEE System Components:
- i. Siemens is responsible for furnishing and installing, at no additional cost to the Government, any failed or worn components. Certain items (i.e. valves) may require installation by others. Final determination of these installations will be made on an individual case by case basis by both the VA and Siemens.
 - ii. Siemens shall have available, in their service vehicle and/or office, expendable items required for routine maintenance. Siemens shall have available sources for procurement of other parts that can provide them in an expeditious manner with minimal delay. Siemens shall have available on site all service and tech manuals provided by the manufacturer for each piece of equipment.
 - iii. Siemens service technicians and support staff shall be "factory certified" and fully experienced in all aspects of maintenance and repair of system and pneumatic components. Siemens shall provide training certificates of technicians and staff upon request by the Contracting Officer (CO) and/or Contracting Officer's Technical Representative (COTR).

- e. Training. Siemens shall provide the following training:
- i. Eight (8) hours of on-site training annually for system operators
 - ii. Four (4) offsite 4-5 day training sessions at Siemens facilities including tuition and accommodations. Airfare, ground transportation, meals, and all other expenses are not to be included.
 - iii. Operator coaching. During scheduled maintenance visits the Siemens staff shall identify and resolve normal system operating problems encountered by the system operators.

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see 8.405-6(a)(1)(i)(A), (B), and (C) or 8.405-6(b)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

☐ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; The systems described above are highly specialized and the computer programs are proprietary to Siemens.

☐ In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☒ Items peculiar to one manufacturer:

☒ A patent, copyright or proprietary data limits competition. The proprietary data is: Siemens Apogee Technology (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

Publication number: 2013026177

Patent Grant Number: 9367053

Applicant: Siemens Aktiengesellschaft (Munich)

Application Number: 13/780,594

Classification Number:

Current US class: Mechanical Control Systems (700/275)

International Classification: Go5B 13/02/(20060101)

☐ These are "direct replacements" parts/components for existing equipment.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

The GSA schedule offers negotiated pricing that is already considered fair and reasonable. We will attempt to negotiate discounted rates based off the GSA pricing schedule to include discounts on parts and labor.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

In order to further solidify market research, a search of FBO was conducted that reinforced this sole source approach to Siemens. Numerous intents to sole source synopsis were found on FBO citing other agencies intent to sole source to Siemens for the Apogee system. Below are some samples out on FBO currently.

USDA-AG4604S180014

AF-GA468618R0030

VA Cleveland 36C25018Q0600

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

None

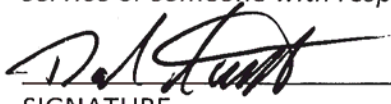
(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

None

(9) 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. I understand that processing of this limited sources justification restricts

VHAPM Part 808.405-6 Limiting Sources
Attachment 2: Request for Limited Sources Justification Format >SAT

consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

 6-4-18
SIGNATURE DATE
Daniel Smith O and M Supervisor Facility Services /138
NAME: TITLE SERVICE LINE/SECTION
555 Willard Ave Newington, CT 06111
FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM Part 806.3 OFOC SOP:

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Lorrie A. Baine 

Lorrie Baines/ Supervisory Contracting Specialist 06/04/2018
CONTRACTING OFFICER/DESIGNEE'S SIGNATURE DATE
Lorrie Baines-Contracting Officer NCO 1
NAME AND TITLE FACILITY

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

William A Nall

SIGNATURE

DATE

William Nalls Division Chief NCO 1

NAME

HIGHER LEVEL APPROVAL (Required for orders over \$700,000):

c. DIRECTOR OF CONTRACTING REVIEW AND APPROVAL NCO 1 (over \$700,000 to \$68 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

Gerald F. Jacobs

SIGNATURE

DATE

Gerald Jacobs Director of Contracting NCO 1

d. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$68 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

JOSEPH MALETTA

NAME Joseph Maletta-Director SAO East
VHA Head of Contracting Activity (HCA)

DATE