

JUSTIFICATION FOR OTHER THAN
FULL AND OPEN COMPETITION

1. CONTRACTING ACTIVITY: Department of Veterans Affairs
Construction and Facilities Management
Eastern Regional Office
Silver Springs, MD 20910

2. REQUIRING ACTIVITY: Department of Veterans Affairs
Veterans Affairs Medical Center
Perry Point, MD
Solicitation 36C10F18R0556

3. DESCRIPTION OF ACTION: The purpose of this justification is to request approval for usage of brand name items for construction of the Community Living Center (CLC) at the Veterans Affairs Medical Center, Perry Point, MD. The proposed contract will be a firm fixed price construction contract with an estimated construction cost of [REDACTED].

4. ESTIMATED BRAND NAME DOLLAR COST: [REDACTED]

5. DESCRIPTION OF THE SUPPLIES/SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS: The Perry Point VA Medical Center has a requirement to replace the existing CLC currently within the VAMC at the center with a new facility. The new Community Living Center includes a Community Center and thirteen "houses" for 13 residents each, connected by an enclosed mall, and is designed to promote independence and resident choice in a home-like, residential setting. Each one-story, fully handicapped accessible house will allow easy access to secure outdoor living areas in a backyard, courtyard or front porch breezeway. By building on two terraced levels on the site, all houses are provided views to the Susquehanna River and Chesapeake Bay. The design incorporates Federal High Performance and Sustainable Buildings requirements, including hot-water solar collectors, photovoltaic solar collectors, and a geothermal heat-pump system.

Below is the required brand name equipment with estimated cost breakdown; the contract will include the requirement to provide and install the following:

EQUIPMENT	COMPANY	COST
SIGNAGE - Specification Section 10 14 00	Takeform	\$ [REDACTED]
Automatic Temperature Controls	Andover	\$ [REDACTED]
Security Emergency Call, Duress Alarm - spec 275231	Johnson Controls	\$ [REDACTED]
Access Control - spec 281316	Lenel Systems	\$ [REDACTED]
Video Surveillance System - spec 282300	Lenel Systems	\$ [REDACTED]
Lighting Control System	Enceium.	\$ [REDACTED]

Nurse Call	Novus by West Call	\$ [REDACTED] 0
Fire Alarm Monitoring System	SigCom	\$ [REDACTED]
Fire Hydrant	Kennedy Valve	\$ [REDACTED]
	Total	\$ [REDACTED]

The requiring activity for this project is the New Community Living Center at VAMC, Perry Point, MD. The contemplated period of performance for the construction contract is 913 calendar days after receipt of Notice to Proceed. The construction contract will be solicited on an unrestricted basis. The total project value of the New Community Living Center is \$82,385,073 to include options. The estimated total cost of the equipment under this justification and approval for brand name usage is [REDACTED]

6. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: Federal Acquisition Regulation (FAR) Part 6.302-1(c)(1), 10 U.S.C 2304(c)(1), or 41 U.S.C. 253(c)(1), "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements", and VAAR Part 806.3

7. REASON FOR AUTHORITY CITED:

Background: A new Community Living Center will be constructed for the VAMC at Perry Point, MD. It is essential to acquire the brand name equipments for this project to meet the Government's technical requirements. Below are the justifications for acquiring each brand name item:

Justification

- a. **Signage** – Signage shall be Fusion 20 (Camber) as Manufactured by "takeform" Architectural Graphics, One Mahar Way, Madina, New York 14103, 1.800.528.1398, www.takeform.net "NO SUBSTITUTION".

The VA Perry Point campus has a uniform campus wide signage program with an existing contractors who have patented the sign form and patterns. The signage is a facility standard required to match the signage currently throughout the campus.

- b. **Automatic Temperature Control** – Andover Automatic Temperature Controls System

The entire campus is currently controlled by an Andover automated temperature control system. Therefore, an Andover automated temperature control system will be provided for the CLC and tied into existing campus wide system.

The impact of not using the required system would have a detrimental effect on the agency's mission. Specification of incompatible equipment will create several problems. The principle and critical problem will be the inability to integrate the control of the new equipment with the existing equipment. In addition, specification of incompatible equipment will cause an increased need of both maintenance and personnel requirements.

- c. **Security Emergency Call, Duress Alarm** – includes speakers, intercom stations, software by Johnson Controls. The equipment is required to be compatible with existing campus headend system.

Inconsistencies and incompatibilities between new and existing systems would result in inefficient, non-functioning system. This is due to the inability of different software systems to interoperate with each other.

- d. **Access Control** – Access control is required for the card reader controllers, security panels & reader interface gateway, manufactured by LENEL Systems. The equipment is required to be compatible with existing campus headend system.

The use of other than Lenel Access Control System would require significant modifications and reengineering to integrate into the existing systems at a sufficient cost. All sites with Physical Access Card System run off the main Lenel system currently located at the Medical Center and all Community-Based Outpatient Clinics (CBOC).

- e. **Video Surveillance System** -IP Security Cameras and software By LENEL Systems. The system is required to be compatible with existing campus headend system.

The use of other than surveillance System would require significant modifications and reengineering to integrate into the existing systems at a sufficient cost. Inconsistencies and incompatibilities between new and existing systems would result in inefficient, non-functioning system. This is due to the inability of different software systems to interoperate with each other.

- f. **Lighting Control System** - Encelium lighting control system. All existing lighting control and monitoring at VAMC Perry Point is by Encelium. Therefore, the Encelium lighting control system will be provided for the CLC and tied into existing system.

- g. **Nurse Call** - The campus wide project for replacement of the existing nurse call system is under bid now. Therefore, the manufacturer for the new nurse call system for CLC project shall be the same as for the campus wide project. The exact manufacturer is not known at this time, but will be sole source for the CLC project.

- h. **Fire Alarm Monitoring System** – The campus wide project for replacement of the existing system is currently at 60% design for a new dedicated fiber optic network. The exact manufacturer is not known at this time, but will be sole source for the CLC project. Manufacturer will be determined per contract bid and award by the VA Medical Center. The manufacturer for the Fire Alarm monitoring system shall be the same as for the campus wide project.

- i. **Patient Life Mounting** – The patient life will be provided by the VA Medical Center at Perry Point and contractor installed. This item will be sole sourced to Prism Medical by the Medical Center. The campus wide project for replacement of the existing nurse call system is under bid now. Therefore, the manufacturer for the new nurse call system for CLC project shall be the same as for the campus wide project.

- j. **Fire Hydrant** - manufactured by Kennedy, New units must match the existing type used throughout the campus. By using one brand on campus maintenance and repair is more efficient due to stocking of one type of spare parts.

8. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS DEEMED PRACTICABLE: Based on the information provided in section 7, efforts to obtain competition may be feasible through

subcontractors and multiple dealers who handle the above required systems. The firms that will supply these items do not need to be sole-sourced, only the approved brand name items will be sole sourced.

9. DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

Competitive acquisition: The total anticipated cost of the sole source equipment is \$1,846,200.00 of the total project. The scope of limited competition for this justification is restricted specifically to the brand name items listed above. The remaining portions of the requirements are subject to full and open competition. Although the equipment required are brand name specific, the awardee will compete these items among suppliers who can provide the equipment on time to meet the approved construction schedule.

10. DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED:

A sources sought notice was posted on July 15, 2016 on FedBizOpps for VAMC Perry Point, CLC for all of the brand name products in this J&A. Interest were expressed by Hill-Rom (LB), Four Points Tech (SDVOSB), ASCOM (LB), and Tyco Integrated Security (LB), in reference to the Nurse Call system (which is under source selection at the medical center), and the automatic paper tower dispenser was expressed by GPS Federal (SDVOSB). Tyco Integrated Security also stated they can provide all of the brand name items mentioned in this J&A and their equivalent.

11. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN OPEN COMPETITION: N/A

This document (J&A) will be redacted as necessary pursuant to FAR 5.102 and published with the solicitation as required by FAR 5.201 and any bids or proposals received shall be considered.

12. A LISTING OF SOURCES, IF ANY THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION:

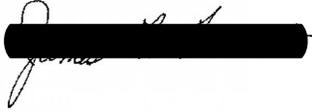
Government Technologies/Johnson Controls Security Solutions (GSA)
Jeron Electronic System
Takeform
Letke Security

13. MATERIAL EVIDENCE THAT THE GOVERNMENT WOULD BE INJURED IF THE BRAND NAME PROCUREMENT IS NOT MADE: N/A

14. A STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE MAKING ANY SUBSEQUENT ACQUISITION: N/A

15. TECHNICAL/REQUIREMENTS PERSONNEL CERTIFICATION:

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

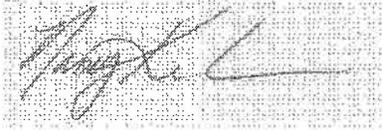


Date: 5-31-18


Project Manager

16. CONTRACTING OFFICER'S CERTIFICATION:

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.



Date: 5-30-18

Nancy Kebe
Contracting Officer

Concur/Non-Concur


Digitally signed by [Redacted Name]
Date: 2018.06.22 15:36:19 -04'00'

Date: _____


Director,
Acquisition Eastern Region

Approval

Based on the foregoing justification, I hereby approve the use of brand name items for the construction of the Community Living Center at VAMC Perry Point, Maryland, as defined in the scope of work, on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 2304(c)(1), "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.



Date: 7/10/2018

(Acting) Head of Contracting Authority (HCA)