

SOLE SOURCE JUSTIFICATION

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
1701 Director's Blvd.
Austin, TX 78744
2. Description of Action: This proposed sole source action is for a new hybrid contract to include firm-fixed-price and time and material contract types for the maintenance and emergency/non-emergency repair services of the VA Austin Information Technology Center (AITC) existing Very Early Warning Aspiring Smoke Detection (VESDA) system with Koetter Fire Protection (KFP), 16069 Central Commerce Dr., Pflugerville, TX 78660-2035.
3. Description of Supplies or Services: The proposed action is to provide maintenance, and emergency/non-emergency repair services for the 4 VESDA systems, model VLS-314 located in computer room 134, and 2 VESDA systems, model VLS-304 located in computer room 140 at the AITC. In support of the 6 VESDA systems, the contractor shall perform annual and quarterly maintenance inspections and repairs in accordance with the original equipment manufacturer recommendations and guidelines. Emergency services and repairs include those activities requiring immediate action to ensure the continuous operation of the VESDA system, and the related repairs for failed equipment, which presents an imminent risk to operations and safety. The AITC VESDA system was installed in 2010 and is no longer under warranty. These services are required to ensure the fire protection and safety of the entire AITC facility, and specifically the computer rooms 134 and 140, which contain systems that support critical Veteran applications and data. The period of performance will be 12 months, with four 12-month option periods. The total estimated value of the proposed action is \$305,000.00, including options.
4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C. 3304(a)(1) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."
5. Rationale Supporting Use of Authority Cited Above: Koetter Fire Protection is the only source to perform this requirement because of the required access to the existing Simplex Grinnell master fire panel, which controls the VA-AITC fire detection system. VA-AITC must manage and oversee the maintenance of the fire protection systems in the AITC computer rooms which house critical information on Veteran's services, records, and operations. In 2010 General Services Administration (GSA) awarded a contract to perform facility maintenance services for the AITC which includes maintenance of the fire protection system for the entire facility. In 2014, GSA awarded a new contract to continue these services under contract number GS-07P-14-JU-D-0039, awarded to SDS JV. Koetter Fire Protection has provided maintenance services for the AITC Simplex Grinnell master fire panel for over 7 years, as a subcontractor under both GSA contracts. In 2010, VA-AITC installed an upgraded fire detection system in computer rooms 134 and 140. The installation of

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the new equipment was not within the scope of the existing GSA facility maintenance contract. However Koetter Fire Protection was awarded a sole source contract for the equipment and installation of the upgraded VESDA system in these computer rooms due to its' exclusive access under the GSA contract to the existing Simplex Grinnell master fire panel and inherent knowledge to configure the new equipment to ensure compatibility and interoperability with the existing system. This approach provided continuity of services and minimized the technical risk of multiple sources accessing a critical safety system. Competition of this requirement was considered to examine the possibilities of issuing a new contract for the annual maintenance and emergency repairs of the VESDA system in computer rooms 134 and 140; however this would require either the installation of a secondary fire panel that would then separate the communication between both individual systems, or Koetter would have to grant fire panel access to a new contractor, which would then give them access to the entire facility. In addition, the costs for the installation of a new system, to include the coordination between two separate contractors for tests and troubleshooting are significantly higher than allowing Koetter, who already has hardware and software installed throughout the facility, to incorporate the additional computer rooms. It is critical to life and safety, as well as within fire code, that all systems report back to the single, pre-existing Simplex Grinnell fire panel which is currently maintained by Koetter. By incorporating additional fire panels, regardless of the contractor maintaining them, VA would be in violation of fire code as well as endangering life and safety of employees and equipment which houses VA sensitive data.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsized on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable competition in future actions.

8. Market Research: The Government's technical experts conducted market research by interacting with local Fire Protection companies. Upon completion, market research identified Koetter Fire Protection as the only source for this contract due to the required interfacing with the proprietary fire panel which maintains all existing fire protection systems under installed under the GSA facility maintenance contract. Local vendors, including Northstar Fire Protection and Allied Fire Protection, were considered to examine the possibilities of issuing a new contract for the annual maintenance and emergency repairs of the currently installed VESDA system, however a new vendor would not have the rights to access the fire panel, which controls all the AITC facility, which is currently maintained by Koetter. Granting another vendor access to the currently installed equipment and panel could

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potentially void any warranty on affected systems that are currently GSA owned that would be tied into this addition.

In May 2018, the contract specialist performed additional market research by making phone calls to Koetter and Northstar Fire Protection to verify that the validity of proprietary data and usage of Simplex Grinnell fire panels. While both companies confirmed that anyone trained and authorized by Simplex Grinnell can install and work on their fire panel, a system that is already installed and programmed is designed to prevent unauthorized access by anyone other than those that maintain the system. Due to the fact that the new equipment would interface with pre-existing GSA lines and alarms, of which only Koetter has access to, adding additional contractors could jeopardize portions of the system under GSA control and may lead to critical failure or voided warranties.

9. Other Facts: None.

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10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

Wesley Patton
General Engineer

Wesley G. Patton
Signature: 298186

Digitally signed
by Wesley G.
Patton 298186
Date: 2018.08.17
15:13:06 -05'00'

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on a comparison of the proposed pricing with the independent government cost estimate as well as a comparison of proposed prices obtained through market research.

Ty Senour
Procuring Contracting Officer

Signature: _____

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$700,000, the certification below required by FAR 6.303-2(b)(12) serves as approval.

Ty Senour
Procuring Contracting Officer

Signature: _____