

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)**

Acquisition Plan Action ID: 36C250-18-AP-1526

1. Contracting Activity:

The Department of Veterans Affairs, Network Contracting Office (NCO) 10 located at 260 East University Avenue, Cincinnati, Ohio 45219-2637 intends to enter into a sole source contract based on this Justification for Other Than Full and Open Competition for the Cincinnati VA Medical Center (CVAMC) Fire Alarm Services. Purchase Request No. 539-18-3-6072-0205.

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

Fire Alarm Services are being procured exclusive of competition from Honeywell International Inc., a large business. Honeywell International Inc. previously provided the services, via a pass-through (See D&F), under contract VA250-12-C-0095. The contract term shall be for a one (1) base year period, September 25, 2018-September 24, 2019, with four (4) one-year option periods. A firm-fixed price contract shall be awarded for this requirement.

This acquisition will not involve services that can be classified as inherently governmental as defined by FAR 7.503. Furthermore, there is no statutory authority available to permit personal services relative to this requirement. All work relative to this requirement shall be of a non-personal nature.

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

The Cincinnati VA Medical Center and Fort Thomas Campus has a continuing need for Honeywell Fire Alarm Services. The Fire Alarm System is required to follow the National Fire Alarm and Signaling Code (NFPA) 72 standards. The NFPA 72 code further defines features that may need to be modified or upgrade existing systems to meet the national requirements. Therefore, the agency requires an ongoing contractual vehicle to provide preventative maintenance, repairs and upgrades to the Honeywell fire alarm system owned by the Cincinnati VAMC and Fort Thomas Campus.

This requirement is being procured sole source from Honeywell International Inc., 115 Tabor Rd Morris Plains, NJ 07950-2546, DUNS: 139691877 due to the systems proprietary software/hardware. The total estimated value of this procurement is \$991,570.00.

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;
() (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):** Honeywell controls and maintains all Honeywell equipment/systems. Due to proprietary software and hardware the Contracting Officer contacted Honeywell and inquired if the company had any authorized dealers that can provide the service. Honeywell provided official notice that they do not allow outside entities to repair or provide routine maintenance to their systems.

Honeywell is the only source for acceptable testing and system modification services to Honeywell's:

1. EBI application software and interfacing hardware:
 - a. EBI Life Safety Manager
 - b. Database and graphic conversion tools: CAE, etc.
 - c. Software updates and patches are provided by Honeywell Building Solutions
2. Legacy Systems hardware and software are proprietary in nature and programming is provided solely by Honeywell Building Solutions
 - a. XLS1000 Fire Alarm System
 - b. XLS3000 Fire Alarm System

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This requirement is being procured in accordance with FAR 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements cite in paragraph 4 above. This follow-on contract is to provide services for a major alarm system previously acquired by the Cincinnati VA Medical Center and Fort Thomas Campus.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The variation in pricing over the base and first option year are for planned Honeywell items with warranties that are due to expire in 2019. The remaining option period increase at a rate of 3% per year. A price analysis, based on historical data via IFCAP and contract VA250-12-C-0095 and Honeywell online catalog for schedule service hours the Contracting Officer has determined the price to be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted on Vetbiz using NAICS # 561621, PSC# J063 and keyword(s) "Fire System." Vetbiz produced 8 SDVOSBs and 4 VOSBs that met the criteria. Requirement was posted to FBO. No inquires have been made about the requirement by any veteran business concerns. Further, Honeywell provided official notification that they do not allow outside entities to repair or provide routine maintenance to their systems, therefore, "the

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >SAT

Rule of Two" does not apply to Honeywell's proprietary owned software and hardware. Additionally, there was no interest shown from any large or small businesses.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No vendors have expressed interest to the synopsis.
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:** As stated above, this requirement is being procured sole source under the authority of FAR 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.
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.



Paul Mishurda
~~Staff Engineer~~ Assistant Chief Engineer
Cincinnati VAMC

September 24, 2018

Date

13. **Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP:](#)**

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

Luke Turner
Contracting Officer
NCO 10

Date

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
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- b. **One Level Above the Contracting Officer (Required over SAT but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

John M. Ryan
Branch Chief
NCO 10

Date

Johnathan S. Latson
Acting Division Chief
NCO 10

Date

Marie L. Smith
Acting Director of Contracting
NCO 10

Date

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

Terry L. Spitzmiller
Acting Executive Director
Service Area Office (SAO) Central

09/25/2018
Date