

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, VA Gulf Coast Veterans Health Care System, Biloxi, MS  
2237 Transaction # 520-12-4-8888-0028

**2. Nature and/or Description of the Action Being Processed:** This is a new action for provision and installation of a Siemens Energy Management Control System (EMCS).

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** System cost estimate is approximately ~~\$2,500,000~~. This EMCS system will provide control of the heating, ventilation, and air-conditioning systems, as well as monitor energy.

**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):** This system is a follow-on system, i.e. an add-on to an existing multi-state system with proprietary Siemens software. In particular, this system will be a Client of an already installed Host Parent system in Pensacola, Florida.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** N/A. This is a proprietary follow-on system.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Price is fair and reasonable as compared to other similar systems. Siemens is a GSA contractor as well with reviewed competitive pricing.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** No other known source due to proprietary vendor software and programming issues as a minimum. In the past, extensive market research has been conducted to identify any additional sources that could fulfill the governments requirement to interface with the Siemens proprietary system without a degradation of system functions.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: No other known compatible source.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: N/A

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: It is my professional opinion that no other actions could be or can be taken due to proprietary software and integration factors.


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.

  
David Boggs  
Chief, Facilities Mgmt Service  
Biloxi, MS

9/12/12  
Date

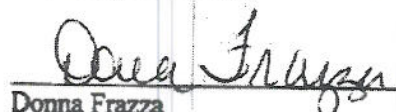
13. Approvals in accordance with FAR 6.304

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

  
Cynthia L. Kinsman  
Contracting Officer, VISN 16, Biloxi, MS

9/12/12  
Date


b. P&C: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
Donna Frazza  
Chief, Purchasing and Contracting  
Biloxi, MS Network 16 Contracting Activity

9/13/12  
Date

NETWORK 16 CONTRACTING ACTIVITY

c. NCM/PCM: I certify the justification meets requirements for other than full and open competition.

  
Greg Diaville  
Acting Network Contract Manager  
Network 16 Contracting Office

9/13/12  
Date