

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

1. Contracting Activity:

Veterans Health Administration (VHA), Program Contracting Activity Central (PCAC)

The proposed procurement, Invitation For Bid (IFB) 36E77619B0020 is for the Expand Patient Parking Garage - Cleveland - Minor Construction project at the Louis Stokes Cleveland VA Medical Center (VAMC), Cleveland, OH.

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

This justification is to support the Expand Patient Parking Garage - Cleveland - Minor Construction project at the Louis Stokes Cleveland VAMC that will be awarded as a firm-fixed price contract. This justification is for other than full and open competition for the procurement of certain construction materials. The use of particular brand names for the items listed below accommodates standardization of these items throughout the facility.

The individual brand name items identified are as follows:

- A. Hospital- wide Security System
 - i. LENEL Security System

- B. Hospital- wide Fire Detection System
 - i. Notifier Fire Alarm System

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

This procurement is to construct the Expand Patient Parking Garage - Cleveland - Minor Construction project at the Louis Stokes Cleveland VAMC. The scope includes everything necessary to construct a functional building that meets the requirements of the Department of Veterans Affairs. There are two (2) brand name items listed for which the VA is not able to accept an equal or alternate item. The values of these items are listed below and the VAAR Construction magnitude for the entire project is between \$2,000,000.00 and \$5,000,000.00.

The individual brand name items identified are as follows:

- A. Hospital- wide Security System
 - i. LENEL Security System
 - ii. Value: [REDACTED]
 - iii. Description: The security system used should communicate seamlessly with already established security systems. LENEL systems are already in place through out the facility and feed into all CCTV and alarm systems communicating to VA Police Service's central dispatch.

- B. Hospital- wide Fire Detection System
 - i. Notifier Fire Alarm System
 - ii. Value: [REDACTED]
 - iii. Description: "Notifier" is the existing fire alarm system in the hospital, and only parts, software and firmware from the same manufacturer will work with the system. Signal devices of another manufacture may work with the "Notifier" panels but are not acceptable based on tested and approved UL listing.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1; 41 USC §253(c)(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):**

These items have been standardized throughout the Louis Stokes Cleveland VAMC. Installing different manufacturers' systems will create significant duplication in cost for the facility, and in most cases the equipment will not function properly. The specific impact for not using the brand name items are listed below:

A. Hospital- wide Security System

i. LENEL Security Systems

- ii. Impact: It was found that LENEL access control software allows for easy integration of the existing security cameras at the Cleveland VAMC. The LENEL software makes these camera feeds capable of analytic controls, smart functions, (i.e. object left behind, door left open, traffic direction in a corridor). All of these features are offered through LENEL at one fifth the cost of comparable competitors. LENEL then offers one easy to use interface for VA Police Dispatchers to monitor with all systems displayed in one easy location. The use of LENEL Security Systems will be more efficient to the Government.

B. Hospital- wide Security System

i. Notifier Fire Alarm System

- ii. Impact: It was found that the Notifier system allows for seamless integration of the existing fire detection system in place at the Cleveland VAMC. The Notifier software allows for communication between the system and VA Police Dispatchers, as well as the Cleveland Fire Department. It allows for VA Police and other appropriate personnel to monitor the system in one location. The use of the Notifier system will be more efficient to the Government.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

In accordance with the Competition in Contracting Act (CICA), the components listed above are identified as brand name; however, the overall procurement will be competed as a Service-Disabled Veteran-Owned Small-Business (SDVOSB) Set-Aside. This Justification for Other Than Full and Open Competition will be posted to Federal Business Opportunities with the solicitation.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

The Government estimate was prepared and provided by the design Architect-Engineer (A-E), AE Works, LTD. The anticipated price to the Government for the items requested to be brand name is approximately [REDACTED]

The items for which brand name approvals are being requested are subsequent components to the overall construction project. This procurement will be competed and based on competition; the CO will make a determination of fair and reasonable pricing prior to award.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The market research for the equipment was conducted and prepared by the A-E and shared with the CO for further review. The CO was in concurrence with information provided in the estimate that supported the brand name items. Approval of the items as brand name only is critical for the overall efficiency of the completed project and the Louis Stokes Cleveland VAMC facility as a whole.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

The new components must be able to tie into an existing and operational system including the use of software. At this time, there are no competing vendors whose product are fully compatible with the existing systems being used at Louis Stokes Cleveland VAMC.

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

Not applicable. It is the responsibility of the offerors and the general contractor awarded the project to locate suppliers and obtain pricing for all materials and components, including the item listed in this justification.

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:

There will be competition for the overall procurement. It will be the responsibility of the offerors to obtain pricing from the suppliers of the item and to submit a competitive proposal for the project.

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.

JARED M
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Date: 2019.10.17
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10/17/19

Jared Woodard
General Engineer
Louis Stokes Cleveland VA Medical Center

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.

Donald A.
Marsh 1489406

Digitally signed by Donald
A. Marsh 1489406
Date: 2019.10.17
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Donald A. Marsh III
Contracting Officer
VHA Program Contracting Activity Central (PCAC)

Date