

Attachment A: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS


Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Erie VA Medical Center
2. **Nature and/or Description of the Action Being Processed:** Acquisition of proprietary Johnson Controls Inc., Metasys Building Automation and Control Systems for use in the Erie VA Medical Center First Floor Laundry Renovation – Administration Office Design/Build Project 562-13-102.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
The Erie VAMC currently utilizes the Johnson Controls Inc, Metasys Building Automation and Control Systems (Metasys System) as the overall control for all Heating and Ventilation and Air Conditioning (HVAC) systems in the main hospital building (Building 01) and all surrounding buildings. The Metasys System shall be utilized as the main control system for the new Laundry Renovation to Administrative Offices Design Build project at the Erie VAMC. The Metasys System allows for 24 hour/7 day/week continuous monitoring of all HVAC equipment installed on the Erie VAMC campus. These control systems are required for a 100% fully compatible HVAC Control System to be utilized at the above mentioned site.
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):** Johnson Controls Metasys System is the only building automation control system (HVAC control) which is compatible with the existing system.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** There are no known interested sources that manufacture hardware, software, or control point monitoring equipment that are 100% fully compatible with Metasys Control system.

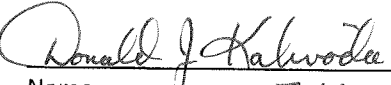
7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Costs will be extensively reviewed based upon published prices by requesting activity.
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Any action to increase competition for the supplier of HVAC control systems would cause an undue hardship on the Erie VA Medical Center, who has been making a conscious effort to standardize their HVAC Control systems in the past in an effort to increase the control of all critical aspects of the HVAC systems. The installation of a system which is not compatible to the present Metasys System would cause increased maintenance problems through false alarms, incorrect temperature control, and equipment monitoring of critical HVAC systems utilized in a surgical environment. There would be an increase in acquisition cost by having to purchase the front-end hardware/software and would still involve disjointed systems without integrity and an unmanageable HVAC Control System.
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: 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:
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.


Name Douglas E. Pollack
Title Asst. Chief FMS
Facility Erie VAMC

1/17/13
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.


Name DONALD J. KALIVODA
Title CONTRACTING OFFICER
Facility ERIE VAMC

1/17/2013
Date

Memorandum 2011-003
March 23, 2012

- Jay Raul
Name Jay Raul
Title Ch. Acquisition
Facility erie VA Medical Center

Date _____

Service Area Office, East
Department of Veterans Affairs
323 North Shore Drive, Suite 500
Pittsburgh, PA 15212

Memorandum 2011-003
March 23, 2012

- f. **VHA 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 (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

N/A

Norbert Doyle
Head of Contracting Activity (HCA)
Veterans Health Administration

Date

- g. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

N/A

Jan R. Frye
Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date