

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

Memorandum 2011-003
April 06, 2012

Attachment A: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

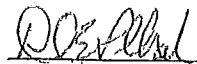
1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Erie VA Medical Center
2. **Nature and/or Description of the Action Being Processed:** Acquisition of proprietary Johnsons Controls Metasys System for use in the Erie VA Medical Center Ambulatory Surgery Addition- Minor Project 562-311.
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 Ambulatory Surgery Addition 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):**

The acquisition is authorized pursuant to 10 U.S.C. 2304(c)(1), and is implemented by FAR 6.302-1(c), Only one responsible source and no other supplies or services will satisfy agency requirements.

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6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: 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.
7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Cost will be extensively reviewed based on review of 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: Further market research was not conducted based on same content provide in paragraph 6 above.
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: N/A
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

4/12/2013
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 Jimmy Rand
Title Ch. Acquisitions
Facility NCO4 - Erie VAMC

4-16-2013
Date

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- b. One Level above Contracting Officer: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

HERBERT F.
BYRNS 279082

Digitally signed by HERBERT F. BYRNS
279082
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va.gov, cn=HERBERT F. BYRNS 279082
Date: 2013.04.16 16:28:28 -04'00'

Name
Title
Facility

Date

- c. Network Quality Assurance/Compliance Review: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

NOT REQUIRED

Name
Title
Facility

Date

- d. NCM: I certify the justification meets requirements for other than full and open competition.

NOT REQUIRED

David Staudt
Network Contract Manager
VISN 4

Date

- e. SAO East: I certify the justification meets requirements for other than full and open competition.

NOT REQUIRED

David Fitzgerald
Director
Service Area Office, East

Date

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- 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.

NOT REQUIRED

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.

NOT REQUIRED

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

Date