

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** The Department of Veteran Affairs, VISN 4, Pittsburg, Pennsylvania. The activity for this requirement is the Department of Veteran Affairs Medical Center (VAMC), Network Contracting Office 4 (NCO4), located in Wilkes Barre (WB), Pennsylvania. This is a Justification and Approval for Other Than Full and Open Competition - Brand Name Only for Yale® locks, which is a small portion of the construction materials requested on Purchase Request 693-13-2-594-0080.
2. **Nature and/or Description of the Action Being Processed:** The Department of Veterans Affairs Medical Center (VAMC), located in Wilkes Barre, PA, is renovating the third floor of Building 1 as part of Construction Project #693- 12-103 *Renovate Basement Clinic Addition*. The renovation includes installation of new doors and new door hardware. The new locks provided must be manufactured by Yale®. The entire project will be solicited under VA244-13-B-0884, and the new award will be a Firm-Fixed Price construction contract to include Yale® locks.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Contractor shall provide new door locks for all doors in the newly renovated spaces to meet the requirements of Project #693-12-103 *Renovate Basement Clinic Addition*. All locks must be manufactured by Yale® to remain consistent with the facility's Grand Master Key system. There are 24 [qty] locks identified on this project with an estimated cost of the Yale® portion of the project is \$10,392 and the magnitude of the entire project is between \$2m and \$5m.
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 facility utilizes a Grand Master Key System to control key access to all doors within the facility. All existing locks are Yale® locks, and the Grand Master Keys are compatible with Yale® locks. Installing locks of a different manufacturer would require needing multiple sets of Grand Master Keys to be able to access areas in emergency situations. This would impair the ability of maintenance, police, and fire personnel to quickly respond to emergencies, and would add increased costs for multiple key systems. Accordingly Yale® is the only firm capable of providing the

supplies and services described in Section 3 above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A Notice of Intent to Sole Source Yale® locks will be posted on FedBizOpps with the solicitation. Bidders will be able to obtain Yale® locks from various distributors and sources available in the open market.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** This procurement is an IFB, resulting in a firm-fixed price contract award. The contracting officer, IAW FAR 13.106-3(a)(1), anticipates the bid price to be fair and reasonable based on adequate price competition. Certified Cost or pricing data and audits are not required.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The existing standardized lock system throughout the entire Wilkes Barre VAMC facility is Yale®, and the Grand Master Key System requires the same manufacturer on all locks. Although, there are other lock manufacturers in the marketplace, no additional market research was conducted.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** All the specifications and drawings and engineering descriptions associated with Project #693- 12-103 have been developed identifying the Yale® lock system as the standard system throughout the WB VAMC.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section 6 above.
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:** In the future if there is a requirement to re-key the entire facility with a new locks system, that requirement would be competed.
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.

Andrew Cullipher
Project Engineering
Wilkes-Barre VAMC

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.

Everett E. Shaver, Jr.,
Contracting Officer
Wilkes Barre VAMC

Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

July 18, 2013

Benjamin A. Grogg
Acting Supervisory Contracting Specialist, Wilkes Barre
NCO4

Date

Title
Facility