

DEPARTMENT OF VETERANS AFFAIRS

**Justification for Single Source Awards IAW [FAR 13.106-1](#) For
Over Micro-Purchase Threshold but Not Exceeding the SAT (\$250K)**

Acquisition Plan Action ID: 36C263-21-AP-5410

- 1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 23 (NCO23), Royal C. Johnson Veteran Memorial Hospital, Sioux Falls, SD, Facilities Management Engineering Department, 2501 W 22nd Street, Sioux Falls, SD 57105. VA Purchase Request Form 2237 number is 438-22-1-353-0003
- 2. Brief Description of Supplies/ Services required and the intended use/Estimated Amount:** A new construction project that has a need for a brand-named sole source item – Johnson Control MetaSys control compatible equipment. This is a partial requirement for Project 438-22-700, Mitigate Water Tower Deficiencies which the contractor shall add a temperature probe and level transmitter to the water tower as well as feedback from a new heater. All of this equipment will be tied into the boiler/ water control system which is all monitored by the MetaSys system. The overall construction project will be solicited in a competitive environment as a 100% Service-Disabled Veteran-Owned Small Business set-aside and will be awarded as a Firm-Fixed Price contract. It is estimated that the total cost for the Johnson Control work is approximately [REDACTED]
- 3. Unique characteristics that limit availability to only one source, with the reason no other supplies or services can be used:** The specified brand-named MetaSys Control is a trademark name of Johnson Control's Distributed Control System (DCS). Johnson Control has the sole owner of the intellectual property and has the contract for the Sioux Falls VA Health Care System DCS and all new equipment must be compatible with the MetaSys DCS and must be installed by a certified Johnson Control technician.
Overall, due to the contract with the associated intellectual property, Johnson Control is the sole provider legally capable of installing the new control programming.
- 4. Description of market research conducted and results or statement why it was not conducted:** Market research was not conducted for the Sole Source Selection. The reason for not conducting market research is that due to the contractual obligations with Johnson Control and their sole ownership of the intellectual property associated with the equipment, Johnson control is the only authorized company that can provide the programming services needed for this project.
- 5. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Angie Mabley
NCO 23 Contracting Officer

Date: 10/5/2021