

**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) 36C77622B0035 is for the EHRM Infrastructure Upgrades Construction project at the St. Cloud VA Medical Center (VAMC).

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

This justification is to support the EHRM Infrastructure Upgrades Construction project at the St. Cloud 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 a particular brand name for the items listed below accommodates standardization of these items throughout the facility.

- a. Lock Cores
  - i. Best TE Series Interchangeable Core
- b. HVAC Controls
  - i. Johnson Controls Direct-Digital Control
- c. Fire Alarm
  - i. Edward EST Fire Alarm System

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

This procurement is for the EHRM Infrastructure Upgrades Construction project at the St. Cloud VAMC. The scope includes everything necessary to complete the EHRM Infrastructure Upgrades Construction project that meets the requirements of the Department of Veterans Affairs. There are three (3) brand name items listed for which the VA is not able to accept equal or alternate items. The value of these items is listed below and the VAAR Construction magnitude for the entire project is between \$10,000,000 and \$20,000,000.

- a. Lock Cores
  - i. Best TE Series 7-pin
  - ii. Value: [REDACTED]
  - iii. Description: interchangeable core keying system door locksets.
- b. HVAC Controls
  - i. Johnson Controls Direct-Digital Control System
  - ii. Value: [REDACTED]
  - iii. Description: HVAC control system for Heating, Ventilation, and Air Conditioning.
- c. Fire Alarm System
  - i. Edward EST Fire Alarm System
  - ii. Value: [REDACTED]
  - iii. Description: Installation of fire alarm equipment as specified in project specification.

**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; 41 U.S.C. § 3304(a)(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 St. Cloud VAMC. Installing a different manufacturers' system 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 is listed below:

a. Lock Cores

- i. Best TE Series – 7 pin
- ii. Impact: This product is the only key core used throughout the St. Cloud VA campus. The medical center locksmith is trained to service these locksets and maintain them in working condition. It is necessary that all lockset hardware components added onto the existing system match the brand to facilitate proper interchangeability. Supportability of the added lock cores will be accomplished with minimal additional investment in the existing system's single standardized parts inventory.

b. HVAC Controls

- i. Johnson Controls Direct-Digital Control System
- ii. Impact: The patient occupied buildings, as well as the entire facility, employs the Johnson Controls system to regulate the buildings HVAC systems. The controls must be identical to the existing controls in every building to communicate with our centrally monitored Metasys System that our facility has in place. Expansion of the existing system to cover new construction will ensure compatibility and provide for seamless interface of the equipment while enhancing operability since personnel are already trained in maintenance and system operation. Supportability of the added system will be accomplished with minimal additional investment in the existing system's single standardized parts inventory.

c. Fire Alarm System

- i. Edwards EST Fire Alarm Systems
- ii. Impacts: This partial requirement of this project is a minor extension of the existing system. At this time there are no competing vendors whose products are fully compatible with our existing Edwards EST; however, if equipment other than Edwards EST is found to have capability to provide interchangeable components and maintain a high level of fire alarm operations, then it will be considered. None to date is known or shown to be available.

**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 Contracting Opportunities with the solicitation.

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

Government estimate was prepared by the AE Firm Anderson Engineering of Minnesota LLC and confirmed by the Contracting Officer's Representative (COR). The anticipated price to the Government for the items requested to be brand name is approximately [REDACTED]

The items for which brand name approval is 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 COR 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 entire St. Cloud VAMC facility.

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

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 products are fully compatible with the existing systems being used at the St. Cloud 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 items 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 items 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.

MICHAEL ENGMARK  
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MICHAEL ENGMARK  
Date: 2022.05.02  
08:18:24 -05'00'

Michael Engmark  
General Engineer  
St. Cloud 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.

Donald A. Marsh 1489406

Digitally signed by Donald A. Marsh  
1489406  
Date: 2022.05.02 09:41:04 -04'00'

Donald A. Marsh III  
Contracting Officer  
VHA Program Contracting Activity Central (PCAC)

Date