

**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) is for the 568-21-701 EHRM Infrastructure Upgrade project at the Fort Meade VA Medical Center (VAMC).

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

This justification is to support the 568-21-701 EHRM Infrastructure Upgrade project at the Fort Meade 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 CORMAX door lock cores
- b. HVAC Controls
  - i. Johnson Controls Direct Digital Controls

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

This procurement is for the 568-21-701 EHRM Infrastructure Upgrade project at the Fort Meade VAMC. The scope includes everything necessary to construct facility infrastructure necessary to accommodate upgrades to the Department of Veterans Affairs electronic health record system. There are two 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 \$15,000,000.

- a. Lock Cores
  - i. BEST CORMAX door lock cores
  - ii. Value: \$25,000.00
  - iii. Description: BEST will provide the door lock cores for this project
- b. HVAC Controls
  - i. Johnson Controls Direct Digital Controls
  - ii. Value: \$35,000.00
  - iii. Description: Johnson Controls will provide the HVAC controls for all new HVAC installations in this project

**4. Statutory Authority Permitting Other than Full and Open Competition:**

(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 Fort Meade 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. Door lock cores
  - i. BEST CORMAX door lock cores
  - ii. Impact: The identified products are the only brand of locks currently in use at the Fort Meade VA and the keying mechanisms of the Best Lock are unique to the manufacturers identified. Use of brand name products in this construction project is supported by both FAR 6.303-2 and FAR 1.602-2, as good business judgment to maintain consistency, reduce duplication costs, reduce replacement costs, save time, effort and ensure patient safety.
- b. HVAC Controls
  - i. Johnson Controls Direct Digital Controls
  - ii. Impact: In order to provide complete HVAC controls capability, the new HVAC controls must be fully compatible with the existing Johnson Controls building automation system. Without Johnson Controls, the system will not function properly.

**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 Federal Business 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 and provided by the Contracting Officer's Representative (COR). The anticipated price to the Government for the items requested to be brand name is approximately \$60,000.00 (this is the total value of all items from section #3).

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 Fort Meade VAMC, as a whole.

**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:**

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.

**daniel j. peck 3448712** Digitally signed by daniel j. peck 3448712  
Date: 2022.06.22 10:15:46 -06'00'

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Daniel Peck  
COR/Engineer  
Fort Meade VAMC

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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.

**Andrea L. Fink 198348** Digitally signed by Andrea L. Fink  
198348  
Date: 2022.06.27 13:29:35 -04'00'

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Andrea Fink  
Contracting Officer  
VHA Program Contracting Activity Central (PCAC)

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Date