

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, Program Contracting Activity Central (PCAC)

The proposed procurement has specific, brand-name material for portions of the Expand Mental Health Clinic, Minor Construction project 663-352 at the Wilkes-Barre VAMC.

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

This justification is to support the Expand Mental Health Clinic project at the Wilkes-Barre 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 and installation. The use of a particular brand name for the items listed below accommodates standardization of these items throughout the facility.

- a. Building Automation and HVAC Control System
 - i. Johnson Controls Metasys Building Automation and HVAC Control System
- b. Fire Alarm System
 - i. Johnson Controls Notifier IFC-3030 Intelligent Addressable Fire Alarm System and compatible peripherals
- c. Door Hardware
 - i. Yale GG-Keyway mortise lockset with 6-pin interchangeable cores
- d. Access Control
 - i. Johnson Controls PIV
- e. Video Surveillance
 - i. Avigilon Video Surveillance
- f. Nurse Call system
 - i. Jeron 790 Nurse Call system

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

This procurement is to Expand Mental Health Clinic at the Wilkes-Barre VAMC. The scope includes everything necessary to construct a functional space that meets the requirements of the Department of Veterans Affairs. There are six (6) brand name systems listed for which the VA is not able to accept equal or alternate items. The value of VAAR Construction magnitude for the entire project is between \$10,000,000.00 and \$20,000,000.00. The estimated value of all brand name requirements is: [REDACTED]

- a. Building Automation and HVAC Control System
 - i. Johnson Controls Metasys Building Automation and HVAC Control System
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: This product, the Johnson Controls Metasys Building Automation and HVAC Control System, is the only product that allows for a single HVAC control system for the Wilkes-Barre VAMC facility and is required for system integration. Specification 23 09 23 1.1 F.
- b. Fire Alarm System
 - i. Johnson Controls Simplex 4100 ES series Intelligent Addressable Fire Alarm System and associated peripherals.
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: This product, Johnson Controls Simplex 4100 ES Fire Alarm System, is the only product that allows for a single fire alarm system to be used throughout the

- c. Door Hardware
 - i. Yale GG keyway mortise lockset with 6-pin interchangeable cores
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: The medical center requires all construction incorporate the Yale GG keyway keying system, to maintain facility wide access control requirements. Specification 08 06 71 4.5

- d. Access Control
 - i. Johnson Controls PIV
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: All the access control equipment within the hospital is a Johnson Controls product. System integration is required which means Johnson Controls PIV is the only product that allows for a single access control system for the facility. Specification 28 05 00 1.1 a

- e. Video Surveillance
 - i. Avigilon Video Surveillance cameras
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: All the Video surveillance equipment within the hospital is a product of by Avigilon System and installed and maintained by Avigilon certified installer. To maintain consistence throughout the medical center, all construction projects shall utilize the Avigilon Video Surveillance cameras and be installed by Avigilon certified installer for any camera installations. Additionally, this helps the medical center mitigate having to stock a mixture of surveillance products from various vendors on station and ensures that the new surveillance cameras system installed in the project integrates seamlessly with our existing system. Specification 28 23 00 1.1 a

- f. Nurse Call System
 - i. Jeron 790 system
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: All the Jeron Nurse Call equipment within the hospital is a product of by Jeron and installed and maintained by Jeron certified installer. To maintain consistence throughout the medical center, all construction projects shall utilize the Jeron 790 nurse call system and be installed by Jeron certified installer for any camera installations. Additionally, this helps the medical center mitigate having to stock a mixture of nurse call products from various vendors on station and ensures that the new nurse call system installed in the project integrates seamlessly with our existing system. Specification 27 52 23 2.1 a.

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 USC §253(c)(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 Wilkes-Barre 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. Building Automation and HVAC Control System
 - i. Johnson Controls Metasys Building Automation and HVAC Control System
 - ii. Impact: An incompatible system may require installation of new "front-end" and remote workstations as well as new software and programming. Additionally, installation of components that match the existing building automation system minimizes maintenance costs and bench stock requirements. It is necessary to match the existing system to ensure there are no interface problems, impacts to patient safety and familiarity of the product to the staff and maintenance personnel per Specification 23 09 23 1.1 F. This is the only way to ensure complete compatibility and that the campus will not have two HVAC control systems on the Wilkes-Barre VAMC campus.

- b. Fire Alarm System
 - i. Johnson Controls Simplex 4100 ES Fire Alarm System
 - ii. Impact: Installation of a system that interfaces properly with the existing system will ensure patient safety is maintained at the highest level. Additionally, installation of components that match the existing fire alarm system minimizes maintenance costs and bench stock requirements. No other system will integrate with our existing fire protection system. It is necessary to match the existing system to ensure there are no interface problems and that system operation and maintenance is maintained to ensure patient and worker safety. Specification 28 31 00 1.1 a

- c. Door Hardware
 - i. Yale GG keyway mortise lockset with 6-pin interchangeable cores
 - ii. Impact: The Yale system is the current mechanical access control system, and it is required to maintain a facility wide keying system per VA specification 08 06 71 4.5 "Hardware Sets"
 1. Mortise locksets – Yale Brand of Locks and 6-pin cores
 It is also important to note that maintaining bench stock for the parts and keying components of an entirely different locking system and hardware sets would be expensive and time-consuming. Use of another brand would require duplicating efforts in training and double the stock on hand for replacement parts. These items are competitively priced and are widely available.

- d. Access Control
 - i. Johnson controls PIV
 - ii. Impact: Installation of a system that interfaces properly with the existing system will ensure appropriate security access is maintained at the highest level. Additionally, installation of components that match the existing access control system minimizes maintenance costs and bench stock requirements. No other system will integrate with our existing access

Project # 693-150 and Mental Health Clinic Construction- Wilkes-Barre, PA
control system. It is necessary to match the existing system to ensure there are no interface problems and that system operation and maintenance is maintained to ensure safety. Specification 28 25 00 1.1 a

- e. Video Surveillance
 - i. Avigilon Video Surveillance cameras
 - ii. Impact: Installation of a system that interfaces properly with the existing system will ensure our Video Surveillance system and coverage is maintained at the highest level across the medical center. Additionally, installation of components that match the existing access control system minimizes maintenance costs and bench stock requirements. No other system will integrate with our existing public address system. It is necessary to match the existing system to ensure there are no interface problems, that system operation and maintenance is maintained to ensure safety and that the existing warranty is not voided. Specification 28 23 00 1.1 a.
- f. Nurse Call System
 - i. Jeron 790 System
 - ii. Value: \$ [REDACTED]
 - iii. Unique Qualifications: All the Jeron Nurse Call equipment within the hospital is a product of by Jeron and installed and maintained by Jeron certified installer. To maintain consistence throughout the medical center, all construction projects shall utilize the Jeron 790 nurse call system and be installed by Jeron certified installer for any camera installations. Additionally, this helps the medical center mitigate having to stock a mixture of nurse call products from various vendors on station and ensures that the new nurse call system installed in the project integrates seamlessly with our existing system. Specification 27 52 23 2.1 a.

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 that the Anticipated Cost to the Government will be Fair and Reasonable:

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 Contracting Officer 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:

Market research indicates that there are 246 verified SDVOSBs in Pennsylvania, New York, and New Jersey, associated with this type of construction that are near the jobsite in Wilkes-Barre, Pennsylvania. As a result, along with Sources Sought responses, it has been determined that the VA

Rule of 2 has been satisfied and a SDVOSB total Set-Aside has been selected for solicitation.

Competing firms shall deliver fair market prices for systems and items listed. The Contracting Officer and COR are in concurrence with information provided. Approval of the items as brand name only is critical for the overall efficiency of the completed project and the WBVAMC facility as a whole.

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 Wilkes-Barre VAMC. Converting one building of the entire campus to another manufacturer's system would be extremely disruptive to medical center operations and prohibitively expensive.

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 SOMOGA Digitally signed by MICHAEL SOMOGA
Date: 2024.03.07 08:31:31 -05'00'

Michael Somoga
Project Manager/COR
Wilkes-Barre VA Medical Center

13. Approvals in accordance with FAR 6.304 & VHAPM Part 806.3

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

JENNIFER BRAATEN Digitally signed by JENNIFER
BRAATEN
Date: 2024.03.06 22:33:29 -07'00'

Jen Braaten
Contracting Officer
PCAC, VHA