

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)

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

This justification is to support the use of brand name items for the Correct Mechanical Deficiencies project at the Minneapolis VA Medical Center. Providing for other than full and open competition for the procurement of certain items supports the need for safety and standardization throughout the facility.

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

This project is for the design and construction of aging infrastructure within the Minneapolis VAMC campus including Buildings 49, 68, 69, 70, and 78. The scope of work includes providing all supplies, labor, equipment etc. to construct the referenced infrastructure upgrades that meet the requirements of the Department of Veterans Affairs. There are four (4) 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. In accordance with the VAAR, the magnitude of construction for this project is between \$5,000,000.00 and \$10,000,000.00.

a. Trash Chute Delivery System

- i. TransVac
- ii. Value: [REDACTED]
- iii. Description: This item includes several components of the trash delivery system. There are three separate risers serving all five floors of Building 70. These three risers are connected in a sub-basement level to approximately 850 lineal feet of horizontal piping to deliver trash to a dumpster. The referenced project will replace all service entry doors and main mechanical and electronic components of the system. As the system will not be replaced in its entirety, TransVac components will need to be utilized in the upgrade.

b. Linen Chute System

- i. TransVac
- ii. Value: [REDACTED]
- iii. Description: This project includes the replacement of service entry doors accessing the linen delivery system. The linen delivery system has 5 main rises which gravity feed to portable bins located in the basement of Building 70. There will be a total of 28 access doors replaced. As the system will not be replaced in its entirety, TransVac components will need to be utilized in the upgrade.

c. Pneumatic Tube Delivery System

- i. Swiss Log
- ii. Value: [REDACTED]
- iii. Description: The project will include the installation of 46 control stations of the pneumatic tube delivery system and replace all 36 transfer switches. The Building 70 pneumatic tube delivery system is currently SwissLog. The proposed system upgrade will be SwissLog *Nexus* components. As the system will not be replaced in its entirety, SwissLog components will need to be utilized in the upgrade.

d. Air Compressors

- i. ALMIG Brand
- ii. Value: [REDACTED]
- iii. Description: This project will provide two new air compressors to service the laboratory. The Minneapolis VAMC is currently utilizing ALMIG air compressors

which are serviced in-house by VA employees who are trained to service this brand of compressors. The Minneapolis VAMC maintains PM parts and supplies for the ALMIG systems.

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 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 Minneapolis VA Medical Center. Installing a different manufacturer's system will create substantial duplication in cost for the facility, and in most cases the equipment will not function properly. The specific impacts for not using the brand name items are listed below:

- a. Trash Chute Delivery System
 - i. TransVac Brand
 - ii. Impact: No other brand components operate with the current system. The entire system is not in need of replacement, and as such only TransVac components are acceptable within the current system.
- b. Linen Chute System
 - i. TransVac Brand
 - ii. Impact: No other brand components operate with the current system. The entire system is not in need of replacement, and as such only TransVac components are acceptable within the current system.
- c. Pneumatic Tube Delivery System
 - i. SwissLog Brand
 - ii. Impact: No other brand components operate with the current system. The entire system is not in need of replacement, and as such only SwissLog components are acceptable within the current system.
- d. Air Compressors
 - i. ALMIG Brand
 - ii. Impact: If a different brand of compressors is used, significant training will be required for VA employees that maintain the systems or a funded service contract will be required to maintain the compressors. Both options presented require additional funding and resources that are not currently available or necessary if ALMIG compressors are purchased.

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 for the items requested to be brand name is approximately [REDACTED]. This procurement will be competed and awarded based on competition and 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 was conducted for the required items when they were initially installed in the main facility and out-buildings. The items required are brand name to support current systems, standardization throughout the facility, and the safety of patients and employees. Approval of the items as brand name is critical for the overall efficiency and effectiveness of the entire facility.

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

Standardization of most facility systems according to the preponderance of long-term industry data results in substantially reduced costs for parts as well as maintenance and repair labor that far outweigh the potential savings to be had by full and open competition.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Not applicable. It is the responsibility of the offeror awarded the contract 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:

Fair opportunity will be provided for the overall procurement. It will be the responsibility of the offerors to obtain pricing from the suppliers for the items and to submit a competitive proposal for the project.

12. Requirements Certification: I certify the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

ROBERT C.

MALECHA 1582825

Robert Malecha
Engineer
Minneapolis VAMC

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C. MALECHA 1582825
Date: 2019.05.21 06:39:25
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Date

13. Approvals in accordance with FAR 6.304

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

Megan A. Dohm 1683809

Megan Dohm
Contracting Officer
VHA Program Contracting Activity Central (PCAC)

Digitally signed by Megan A. Dohm 1683809
Date: 2019.05.21 07:37:21 -04'00'

Date

Director of Contracting: I certify that the justification meets requirements for other than full and open competition.

Jane A. Oney 338045

Richard C. Dahmen
Director of Contracting, PCAC

Digitally signed by Jane A. Oney 338045
Date: 2019.05.22 14:52:20 -04'00'

Date

VHA Head of Contract Activity (HCA) ([REDACTED]): I certify
the justification meets requirements for other than full and open competition.

Randy L. Hays

534204

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Date: 2019.06.03 08:23:15 -07'00'

Randy L. Hays
Acting Executive Director
VHA Regional Procurement Office Central

Date