

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A for
Other Than Full and Open Competition**

Acquisition Plan Action ID: 36C257-26-AP-1315

1. Contracting Activity:

Veterans Health Administration (VHA), Program Contracting Activity Central (PCAC)
The proposed procurement, Invitation for Bid (IFB) 36C77626B0011, is for the Construct Community Living Center (CLC) Phase III Construction project at the West Texas VA Health Care System (WTVAHCS) in Big Spring, TX.

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

This justification is to support the Construct CLC Phase III Construction project at the WTVAHCS, 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 accommodate standardization of these items throughout the facility.

- a. Security camera and monitoring system
 - i. Motorola Avigilon
- b. Physical security access control system
 - i. HID
- c. Fire alarm system
 - i. Siemens Desigo

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

This procurement is for the Construct CLC Phase III Construction project at the WTVAHCS. The scope includes everything necessary to complete the Construct CLC Phase III 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 the items are listed below. The VAAR Construction magnitude for the entire project is between \$10,000,000 and \$20,000,000.

- a. Security camera and monitoring system
 - i. Motorola Avigilon
 - ii. [REDACTED]
 - iii. Description: Complete installation, programming, and licensing of digital video capture and recording equipment matching existing to ensure and maintain proper operation of the video surveillance system.
- b. Physical security access control system
 - i. HID
 - ii. [REDACTED]
 - iii. Description: Complete installation and programming of card readers and communication components matching existing to ensure and maintain proper operation of the existing physical access control system (PACS).

Safeguarding access to all areas of the medical center to only authorized personnel only.

- c. Fire alarm system
 - i. Siemens Designo
 - ii. [REDACTED]
 - iii. Description: Complete installation and programming of fire alarm initiating and notification appliances matching existing to ensure and maintain proper operation of the existing fire alarm system.

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 41 USC §3304(a)(1) as implemented by RFO 6.103-1;
- () (2) Unusual and Compelling Urgency per 41 USC §3304(a)(2) as implemented by RFO 6.103-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per 41 USC §3304(a)(3) as implemented by RFO 6.103-3;
- () (4) International Agreement per 41 USC §3304(a)(4) as implemented by RFO 6.103-4
- () (5) Authorized or Required by Statute per 41 USC §3304(a)(5) as implemented by RFO 6.103-5;
- () (6) National Security per 41 USC §3304(a)(6) as implemented by RFO 6.103-6;
- () (7) Public Interest per 41 USC §3304(a)(7) as implemented by RFO 6.103-7;

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 WTVAHCS. Installing a different manufacturers' systems will create significant duplication in costs 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. Security camera and monitoring system
 - i. Motorola Avigilon
 - ii. Impact: Any other devices and equipment not of the existing manufacturer may not provide correct interface and operability with existing monitoring, recording, and control equipment. The video surveillance system is crucial for safeguarding patients, visitors, staff, and the facility against unlawful and unauthorized activities. Modifications of the existing system without the correct original equipment manufacturer (OEM) components and service can compromise the integrity of the entire system. Factory trained and authorized service must be located and supported by OEM within a limited travel time to provide emergency service support.
- b. Physical security access control system
 - i. HID
 - ii. Impact: Any other devices and equipment not of the existing manufacturer may not provide correct interface and operability with existing PACS. The

PACS is vital for authorized personnel to access key areas to provide direct patient care and safeguard critical operations of the facility. Modifications of the existing without the correct OEM components and service can compromise the integrity of the entire system. Factory trained and authorized service must be located and supported by OEM within a limited travel time to provide emergency service support.

- c. Fire alarm system
 - i. Siemens Desigo
 - ii. Impact: Any other devices and equipment not of the existing manufacturer may not provide correct interface and operability with the existing fire protection system. The fire protection system is critical for safeguarding patients, visitors, staff, and facilities. Modifications of the existing without the correct OEM components and service can compromise the integrity of the entire system. Factory trained and authorized service must be located and supported by OEM within a limited travel time to provide emergency service support.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as possible (including whether a notice was or will be publicized as required by RFO Part 5 and, if not, which exception under RFO Part 5 applies):

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 Contract Opportunities with the solicitation.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:

The Government estimate was prepared by the VA team 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 \$54,176.

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 required brand name items was conducted and prepared by the COR and A/E. This information was then shared with the CO for further review. The CO was in concurrence with information provided that supported these brand name items. Approval of the items as brand name only is critical for the overall efficiency of the completed project and the entire WTVAHCS.

The market research concerning the required brand name items was previously conducted when the procurement of these items were originally purchased. The manufacturers and products are exclusively acceptable for reasons outlined in this J&A.

An additional purpose of the market research was to ensure requirements of the Buy American Act (BAA) has been met for each of the brand name items identified. The A/E team reviewed each of the compliance standards for the BAA and compared it with the components in each of the brand name items. After their thorough review, they have concluded that each item is in compliance with the BAA. See an overview below for each item:

- a. Security camera and monitoring system – Motorola Avigilon
 - i. Based on discussions with customer service and extensive research online, it has been confirmed that these items are manufactured in Plano, Texas. Therefore, there are no concerns regarding the “Buy American Act” compliance.
- b. Physical security access control system – HID
 - i. Based on discussions with customer service and extensive research online, it has been confirmed that this product is manufactured in Austin, TX. Therefore, there are no concerns regarding the “Buy American Act” compliance.
- c. Fire alarm system – Siemens Desigo
 - i. Based on review of the GSA Advantage Catalog, it has been determined that the Desigo system is available for purchase. GSA schedule contractors are required to comply with the requirements at FAR 52.225-5 Trade Agreements. Therefore, there are no concerns regarding the “Buy American Act” or the “Trade Agreements Act” compliance.

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

The new components (software and servers) must be able to tie into the existing and operational systems including the use of existing hardware. At this time, there are no competing vendors who have the programming rights to the systems, and products must be fully compatible with the existing systems being used at the WTVAHCS.

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.

MARCUS
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Date: 2026.02.04 10:45:34 -06'00'

Marcus J. Fernandez
Engineering Technician
West Texas VA Health Care System

Date

13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:

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

RICHELLE GRAY

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Date: 2026.02.04 11:54:22 -05'00'

Richelle N. Gray
Contracting Officer
Program Contracting Activity Central

Date