

DEPARTMENT OF THE ARMY
LOUISVILLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 59 LOUISVILLE, KY 40202-0059

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. **Contracting Agency:** US Army Engineer District, Corps of Engineers, PO Box 59, Louisville, KY 40202-0059.
2. **Description of Action:** This Justification and Approval (J&A) is being prepared for the use of brand name Automated Logic equipment, as sole source components for the project to upgrade HVAC units for Building 27 at the Defense Supply Center Columbus (DSCC) in Columbus, OH. The government will not purchase the Automated Logic equipment directly but will include brand name specifications in the design-bid-build construction solicitation that will result in a firm fixed price construction contract. The construction contract is planned to be awarded under IFB Small Business Set Aside solicitation, using FY26 Defense Working Capital funding O&M /SRM.
3. **Description of the Supplies/Service:** The contract solicitation will include a sole-source brand requirement for Automated Logic equipment. This includes installation of Automated Logic equipment that will need to be compatible with the current Building Management System (BMS) of DoDEA. The estimated value of this J&A is approximately [REDACTED]. The estimated value of the contract is [REDACTED] which includes the cost of the components covered in this J&A. This portion of the J&A is 4% of the total contract.
4. **Authority Cited:** The statutory authority permitting acquisition of the requirement by other than full and open competition is 10 U.S.C. § 2304 (c) (1) as implemented by RFO 6.103-1, only one responsible source and no other supplies or services will satisfy agency requirements. This authority is applicable to brand name acquisitions in accordance with RFO 6.103-1(d).
5. **Reason for Authority Cited:**
 - a. **Background:**

DSCC BLDG 27 currently uses Automated Logic for the existing boiler plant and requires that future controls equipment also be Automated Logic brand to maintain compatibility with the existing.

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b. Justification:

No viable alternatives exist to achieve a fully functioning/integrated system because the majority of DSCC buildings use Automated Logic software. No other brand of equipment can connect to and properly integrate with the existing system. If Automated Logic equipment is acquired, no additional equipment or software would be required to ascertain compatibility with the existing infrastructure which would significantly assist in controlling overall project cost.

c. Alternatives:

No alternatives sought for reasons cited above.

d. Impact:

The Automated Logic brand equipment is the only brand of products capable of meeting the requirements discussed above. The use of other HVAC controls would significantly increase the controls contractor's scope and the associated cost.

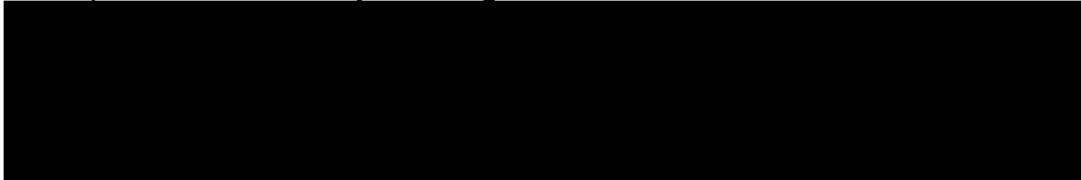
6. **Efforts to Obtain Competition:** None. In accordance with RFO 5.101(b)1(i), a presolicitation notice for the sole-source of a proposed contract action at or below the simplified acquisition threshold is not required if it is posted to the GPE in accordance with RFO 5.201 and the public is permitted to respond to the solicitation publicly.
7. **Actions to Increase Competition:** This is a finite requirement with no future needs, and therefore there are no actions to increase future competition.
8. **Market Research:** A technical review was conducted, and it was determined that Automated Logic products are the only products that are compatible with the existing control software. Automated Logic products are available commercially through various avenues and are not limited in availability to other sources.
9. **Interested Sources:** As stated in Paragraph 6, this document will be updated with the results of the Notice of Intent. This J&A will be posted with issuance of the solicitation in accordance with RFO 5.201(c)(3).
10. **Other Factors:** N/A

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11. **Technical Certification:** I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

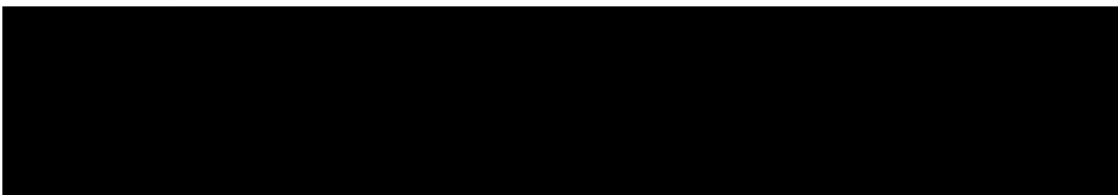


12. **Requirements Certification:** I hereby determine that the supporting data under my cognizance, which are included in this Justification and Approval, are accurate and complete to the best of my knowledge and belief.



Project Manager

13. **Fair and Reasonable Cost Determination/Contracting Officer Certification:** I hereby determine that the anticipated cost to the Government for Automated Logic equipment will be fair and reasonable based on comparison with the existing contract prices and/or established catalog prices for similar items. I further certify that this justification is accurate and complete to the best of my knowledge and belief.



14. **Legal Review and Concurrence:** I hereby determine that the information herein is legally sufficient, and I concur with the sole source procurement.

