

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval
For
Other Than Full and Open Competition**

**Acquisition Plan VA262-13-AP-8247
2237 Transaction # 605-13-4-6022-0912
VA262-13-P-1087 P00002**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 22 Network Contracting Office located at 4811 Airport Plaza Drive, Suite 600, Long Beach, CA 90815 on behalf of the VA Loma Linda Healthcare System. Justification for Other Than Full and Open Competition for purchase request transaction 605-13-4-6022-0912 to be procured via modification to an existing order.
2. **Nature and/or Description of the Action Being Processed:** The VA Loma Linda Healthcare System (VALLHS) has an urgent requirement to relocate two emergency generators and transformers and extend rental services in order to provide emergency power in the event of commercial power loss to the facility. The permanent generator failed during generator tests on August 2, 2013, resulting in a complete loss of power to operational medical facility for several minutes. Two emergency generators and transformers were procured immediately, however the timeframe for the emergency procurement was insufficient to ensure coverage while the long term solution was derived. Further, the placement of the emergency generators and cable installation presented a safety hazard and relocation of the equipment without interruption to commercial power was mandated.
3. **Description of Supplies/Services Required Meeting the Agency's Needs:** VALLHS procured two (2) industrial 2,000 kw Emergency Generators (40ft trailer mounted) and two (2) industrial 2,500 kVA Transformers (40ft trailer mounted) in order to provide the emergency power requirement. The pending modification required to meet the immediate need includes the relocation of the emergency rental generators, transformers, cables, installation/connection of generators and transformers to the new location, bypassing the permanent installed generator and providing for automatic transfer to the rental generators upon loss of commercial power. A repair/renovation project has been established for the permanent generator and associated equipment; however the timeframe for the repair/renovation project exceeds the original rental timeframe of eight (8) weeks. Therefore, this modification extends the rental timeframe an additional six (6) months to allow for permanent resolution actions and ensure emergency power availability.
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;
 - (X) (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):** During the routine generator testing, the permanently installed generator failed and loss of commercial power occurred, resulting in a power outage at an operational medical facility for several minutes. The nature of the outage required essential emergency rental equipment be procured as expeditiously as possible in order to continue providing routine, emergency and critical lifesaving support and medical care to Veterans. The rental equipment was immediately placed, however the location was later deemed a safety hazard and the timeframe for the original rental period deemed insufficient due to the pending repair/renovation project. The inability to relocate the rental equipment and extend the rental period would be detrimental to the mission of the medical center and severely impact the ability to ensure continued operations to provide routine, emergency and critical lifesaving support and medical care to Veterans.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Due to the nature of the requirement, the existence of a purchase order and the urgency in which resolution was required in order to prevent impairment of healthcare delivery capabilities, only one source was contacted. Valley Power had been providing the equipment and confirmed the availability of a longer rental period and the ability to relocate the equipment to a more permanent location without commercial power loss.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated costs do not meet the threshold for requiring certified cost and pricing data, however sufficient data exists for the Contracting Officer to ensure all costs are realistic, fair and reasonable based on market research, previous acquisition history and independent government estimates to ensure the overall best value for the Government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was limited to an analysis of the market for the purposes of verifying cost reasonableness due to the compelling urgency with which the need for fulfilling the requirement dictated.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The potential damage and negative impact to patient care precludes the Government from following the normal acquisition procedures suitable for full and open competition.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
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:** Subsequent routine requirements for emergency generators and transformers is not anticipated due to the planned replacement project for the permanent generator equipment.
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.

Name: Geoffrey Schuller
Title Assistant Chief, FMS
Facility 605- Loma Linda

Date: November 20, 2013

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.

Amanda J. Simmons
Contracting Officer
NCO 22

Date

- b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.

For _____
Kevin Blanchard
Network Contract Manager
NCO 22

Date