

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

Contracting Activity: Department of Veterans Affairs, VISN 08, West Palm Beach VA Medical Center (VAMC). Purchase Request Number: 548-14-1-5540-0177

1. Nature and/or Description of the Action Being Processed: Per FAR 6.302-1, this is a request for other than full and open competition for ASCO Services Inc., to perform a service to modify the Power Control System of the Generator Set. This requirement will be a one-time firm fixed price service.
2. Description of Supplies/Services Required to Meet the Agency's Needs: VAMC Facilities Management is asking to have the Peak Shave Local Test Mode revised to permit a minimum of (2) Standby Generator sets be online vice the current (3) minimum Standby Generator set requirement, and to permit Load Demand function "Dynamically" within the Manually Initiated Peak Shave Mode via the installed Touch Screen. The total estimated cost of this requirement is \$13,183.00.
3. 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;
  - ( ) (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
4. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority): ASCO was the original contractor to install all the Automatic Transfer Switches and associated equipment in the Energy Center's Electrical Distribution equipment. This system is a proprietary design and the software is proprietary to VA's system. Any changes that need to be made are only available through ASCO Engineering and its ASCO Services group.

Since the design and build, ASCO has continued to perform Preventative Maintenance on all of our ASCO switchgear equipment to keep the switches operating at peak performance. The modification that is being requested will be performed on switchgear that was designed, engineered and built by ASCO Services Inc. and installed at the time of the Standby Generator installation. The ASCO switches are synchronized to work in conjunction with the Standby Generator sets, Transfer switches and the 13,000 volt Close Transition Switches that

isolate the Florida Power & Light Utility power from the Standby Generator Sets.

Being that the electrical equipment and its software are propriety in nature and the software is required to reprogram the system to update the Power Control System by modifying the existing electrical equipment, ASCO is the only contractor that can perform this service.

5. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: A broad internet search was conducted and based on findings, ASCO Services Inc. has software that is proprietary and it is the only software that can reprogram the system and update the Power Control System to the existing electrical equipment.
6. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The anticipated price to the Government is \$13,183.00. Based on comparison of the anticipated price, with prices found reasonable on the internet for labor and mix of personnel required to perform the service, the time required to complete the job, travel, cost of the software, warranty, etc., the price is considered fair and reasonable.
7. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: A broad internet search was conducted for other companies that may provide the same service required to modify the Power Control System but being that the equipment is proprietary they do not have access to the ASCO Software & programming required to perform the modification updates. No other sources are available at this time.
8. Any Other Facts Supporting the Use of Other than Full and Open Competition: Because this equipment is proprietary, ASCO Services Inc. has been on contract to perform Preventative Maintenance on all of their equipment since the VAMC opened. They have in their Database all of the information needed on all of their equipment that was installed in our facility since the construction of this VAMC.
9. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: None
10. 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: Prior to re-procuring the service, and on an ongoing basis, the service will conduct market research in order to identify the capabilities of small business and new entrants into the marketplace to see if they offer items to meet this requirement.
11. 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: John Prickett

Title: Electric Shop Supervisor

Facility: VAMC West Palm Beach, FL

Date

2/4/14

12. 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.



Lisa Acharia

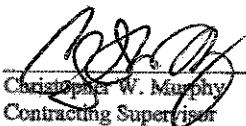
Contracting Officer

West Palm Beach, Station 548

Date

2/6/2014

- b. Product Line Supervisor (PLS): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Christopher W. Murphy

Contracting Supervisor

Facility

Date

2/6/2014

- c. DNCM/NCM: (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

N/A

Mitchell Thomas

Network Contract Manager

VISN 8

Date

- d. SAO: I certify the justification meets requirements for other than full and open competition.

N/A  
Jeff Ryan  
Director  
Service Area Office, East

Date

- c. VHA HCA Review and Approval: (over \$500,000) I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

N/A  
HCA  
Chief Procurement and Logistics Officer  
VHA Head of Contracting Activity (HCA)

Date

- f. VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

N/A  
Iris B. Cooper  
Deputy Senior Procurement Executive (DSPE)  
Office of Acquisition and Logistics  
Department of Veterans Affairs

Date

- g. VHA Senior Procurement Executive Approval (over \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

N/A  
Jan R. Fryc  
Deputy Assistant Secretary for Acquisition and Logistics  
Senior Procurement Executive (SPE)  
Department of Veterans Affairs

Date