

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION DUE TO SOLE
SOURCE REQUIREMENT (includes brand name only requirements)
REQUIRED INFORMATION**

1. FACILITY NUMBER-NAME- CITY, STATE: 553, John D. Dingell VAMC, DETROIT, MI
2. VISN OR PROGRAM ACTIVITY: 11
3. POC NAME AND TELEPHONE NUMBER: Casey Thayer 313-576-1000
4. PROPOSED ACTION: Sole Source Procurement of: Construction Material <input checked="" type="checkbox"/> A-E <input type="checkbox"/> (check one)
5. DESCRIPTION OF REQUIREMENT: The VAMC Detroit has had a standard for electrical materials since the building first opened in 1996. The VA electrical shop has always maintained spare parts and training for the designated electrical systems. The standard system is important in emergency situations when repair needs to be done immediately. The existing electrical system is Siemens. The system includes: transformers, switchboards, panel boards, motor control centers, motor starters, disconnect switches, and surge suppressors. The automatic transfer switches are all Asco. <ul style="list-style-type: none">• <i>Supplies/Equipment: Technical Characteristics can include, but are not limited to model, make, part number,color, size, quantity, delivery date, etc. Services: Refer to the statement of work, statement of objective, or performance work statement for your description.</i>
6. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: (check one) Authorized or required by Statute <input type="checkbox"/> Brand Name <input checked="" type="checkbox"/> Limited Sources J/A <input type="checkbox"/> Only One Responsible Source Available <input type="checkbox"/> Only One Source Reasonably Available <input type="checkbox"/> Public Interest <input type="checkbox"/> Unusual and Compelling Urgency <input type="checkbox"/> National Emergency <input type="checkbox"/> <ul style="list-style-type: none">• <i>FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency Requirements</i>• <i>FAR 8.405-6 Limited sources justification and approval</i>• <i>FAR 13.106-1(B) SAP Requirements – Soliciting From a Single Source</i>• <i>This is a reference to the part of the Federal Acquisition Regulation that allows an item to be purchased without being fully competed. This statement serves as a point of reference in case the justification is questioned. In this case, it would be reviewed for its relativity to this part of the Federal Acquisition Regulation.</i>
7. NATURE & BACKGROUND OF ACQUISITION TO JUSTIFY SOLE SOURCE: The hospital electrical system is a key element of hospital operations. Any electrical problem immediately impacts patients and staff. The VA electricians must act immediately to resolve the problems. By standardizing electrical components reduces repair time. Electrical failures in life safety are also very critical. This would include fire alarms, exit signs and emergency lighting. Potential significant differences in characteristics and usage, bar the use of non-existing components. Therefore, it is essential to the Government's requirements to only allow the provision of Asco and Siemens electrical systems components, thereby precluding consideration of a product manufactured by another company. <ul style="list-style-type: none">• <i>Describe the minimum salient characteristics that will meet your needs. This is the area where you explain why no other vendor anywhere can supply this requirement for you. Acceptable reasons for "sole source" include (but are not limited to): bound by contract, technical order specification, warranty service, or regional standardization. If the reason for sole source is determined locally, offer what market research or clinical guidelines led to the decision. If this item is included in an allowance standard for War Reserve Materiel (WRM), cite the allowance standard, required source, and stock number for this item. NOTE FOR WRM PURCHASES: The Defense Logistics Agency is your primary source for WRM equipment. Be sure to determine availability from a DLA item manager before contracting for WRM equipment. If DLA cannot meet your timelines for WRM equipment, your urgency</i>

may be further justification for other than full and open competition. See your Medical Logistics Flight Commander for more details.

8. PROVIDE INFORMATION SHOWING MARKET RESEARCH WAS CONDUCTED: See paragraph 7. Patient and staff safety could be jeopardized by using different electrical equipment.

- This justification is for why no other vendor anywhere can supply your item or service and still meet your needs. Your rationale for barring other vendors is crucial to your justification. If you already cited the statutory reason for a sole source, state, "See paragraph 7". If your rationale for a sole source purchase was determined locally, offer an explanation of the source selection process you went through to determine your sole source requirement. Unacceptable reasons include (but are not limited to) personal taste, good relationship with existing vendor, or one's comfort level with a particular vendor.
- Describe the similarities and differences in vendors for the product that you are aware of that could assist or prevent the purchaser from obtaining the best value for you. Be sure to name the vendors. This section will help the purchaser decide which vendors are available to purchase this item from. If market research was not conducted, state it AND the reason that there was no market research.

9. PRICE ANALYSIS "FAIR AND REASONABLE": The Asco and Siemens brands have supplied many Hospitals with electrical systems components, including the JDD VAMC. Asco and Siemens are similar in price to their competitor's pricing. The pricing offered is consistent with previous quotations and purchases of parts used to support the installed base at JDD VAMC.

- This section is mandatory. Do not leave this section blank. Even though this must be purchased from only one source, you must still obtain a quote from the vendor for this purchase. This way you are able to verify added costs for delivery, your geographic region, or installation. Cite the pricing here. If you purchased this item before, compare this price to what you paid last time. Cite this here as well.

10. LISTING OF SOURCES EXPRESSING INTEREST IN THIS REQUIREMENT: Not applicable, Brand Name product only.

- Enter or attach contact information for sources you cited in the description of your source selection. If sole source by statute, regulation, or standard, list contact information for that source here.

11. FUTURE ACTION TO OVERCOME BARRIER TO OTFOC: At a future time, when we are renovating the entire electrical system in the medical center, we will explore all brands.

- This section fulfills the legal requirement to affirm that the selection of a singular source for this requirement is an anomaly and that action will be taken in the future to ensure full competition in the future. The reason this is needed is to describe how the government will make an effort in the future to fully comply with standard acquisition practices and not resort to creating unnecessary partnerships with few vendors at the risk barring full competition to circumvent the FAR. By signing this, you are telling the contracting officer to avoid the processes that assure best value and fairness in this acquisition. If the reason for sole source purchase is because of statute, standard, or regulation, enter "THE SOURCE FOR THIS PURCHASE IS REQUIRED IAW [cite the standard here]."

SUBMITTED BY:

Signature: _____

Department/Requestor

Date: 1-28-13

APPROVED BY:

Signature: _____

NCM or Product Line Supervisor

Date: 3/5/13

Scott D.

Digitally signed by: Scott D. Brennan 250586
DN: CN = Scott D. Brennan
250586 O = internal OU = people
Date: 2013.03.05 13:07:51 - 05'00'

SIGNED BY:

Brennan

Signature: _____

250586

Approved based on the apparent need for inter-Warranted Contracting Officer connectivity and interoperability with existing electrical components and switchgear thereby precluding the use of other manufacturers products.

Date: _____

Note: Anything that is over 500K will need to strictly

follow the SOP J&A Attachment.