

**Network 23 Contracting Office (NCO 23)  
708 S. 3<sup>rd</sup> Street, Suite 200E  
Minneapolis, MN 55415**

**JUSTIFICATION  
FOR  
OTHER THAN FULL AND OPEN COMPETITION  
(Brand Name)  
Expand Biomed Instrument Server Room 618-12-301**

1. **REQUIRING ACTIVITY:** VA Midwest Health Care System
2. **CONTRACTING ACTIVITY:** Network Contracting Office 23 (NCO 23), Minneapolis, MN
3. **PROPOSED ACTION:**  
Brand Name procurement of Cuttler-Hammer Electrical Distribution Panels
4. **Description of Requirement:**  
The project will replace two existing Cuttler-Hammer electrical distribution panels with new Cuttler-Hammer electrical distribution panels. The new Cuttler-Hammer Distribution panels will be installed in the same room but on a wall that is on the opposite side of the room to allow for the expansion of the existing biomedical server room.
5. **STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION**
  - FAR 11.104-(b), Use of brand name or equal purchase descriptions..
6. **NATURE OF ACQUISITION TO MEET THE AUTHORITY CITED IN PARAGRAPH 5**  
Our intent is to replace existing electrical distribution panels with new electrical distribution panels. Our intent is to match the existing electrical distribution panels in the medical center and our out-buildings. The medical center currently has approximately 700 electrical distribution panels and another 100 in the out-buildings that are the Cuttler-Hammer brand. The medical center electrical staff stocks parts for the Cuttler-Hammer brand. The intent of this brand name description is to provide a new electrical panel that matches our building standard and avoid stocking parts for other brands of electrical distribution panels. Stocking one manufacturer's breakers provides a cost savings due to not having to stock as many brands of electrical breakers. In addition the Cuttler-Hammer brand of electrical distribution panel allows the electrical staff to respond to these electrical panels in an emergency without having to decide which brand of panel needs to be repaired and avoid the electricians from having to locate several brands of parts during emergency repairs. The emergency repair of these panels could result in patient safety during a malfunction if the correct repair parts are not available for installation.
7. **DESCRIBE THE ACTIONS TAKEN TO CONDUCT ANY MARKET RESEARCH TO LOCATE SOURCES**
  - No market research was conducted because no other distribution panels will meet the needs of our facility. Any other brand of electrical distribution panel will require our facility to stock parts for repairs that we are not currently stocking would result in additional costs to the VA.
8. **CUSTOMER'S SUBMISSION OF PRICE ANALYSIS:**  
Based on the estimates provided by the VA COR the new distribution panels will cost between \$2,000 and \$3,000.

9. ANY ADDITIONAL INFORMATION FOR SUPPORT OF SUBMISSION

Supporting rationale for brand name justification for this equipment:

- Patient safety is our main concern regarding the installation of electrical panels that do not meet our building standard. A large portion of our electrical panels are emergency panels providing patient life support systems.
  - The addition of another repair part that would need to be stocked would not only result in additional costs associated with the repair parts but also require VA labor to contract, order, stock and inventory the addition repair parts.
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11. FUTURE ACTIONS TO OVERCOME BARRIER TO FULL AND OPEN COMPETITION

Should there be a need for additional equipment compatible with the existing equipment, a search for additional vendors will once again be conducted.

12. This justification is accurate and complete to the best of my belief and knowledge.

**Submitted by:**

/s/

Mark Angell  
Facilities Engineering, Project Section

Date May 29, 2012

**Approved By:**



Kathryn J Crowthers  
Contracting Officer

Date June 19, 2012