

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.
2. **Nature and/or Description of the Action Being Processed:** This project is named "Provide Chiller Plant Manual Transfer Switch" and the purpose is to provide new Manual Transfer Switch (MTS) enabling two chillers to simultaneously run in emergencies and during load shedding applications.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The VISN 10 Contracting Activity Cleveland is requesting the use of brand name specification for adding electrical connections and factory start-up services to energize new circuit breakers in the existing "SPARE" location and integral manual transfer switchgear as part of an upgrade the medical center emergency power network. This breakers to be added to the existing switchgear which will be an integral component of the overall, upgraded medical center emergency power system needed to provide emergency power to the Chiller #4, as described above.

4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).

- (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;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** RUSSELECTRIC is the only responsible source for the Tie-GPS and associated manual switchgear needed for this project. The use of RussElectric switchgear in the acquisition is essential to the Government's requirements, thereby precluding consideration of a product manufactured by another company. This project is revising the main electrical bus of the existing equipment which is labeled GPS1 and GPS2. The revisions to the main electrical bus will allow the existing GPS1 and GPS2 equipment to more effectively add a portable generator connection or another compatible power source in the event that one of the existing engines becomes non-functional. Also, the revisions will

also allow GPS1 and GPS2 to supply the chiller plant system if the stand-alone chiller plant generator is non-operational.

The existing GPS1 and GPS2 equipment has been previously furnished by Russelectric Inc.. The PLC controller, software and relay logic of the equipment has been customized and developed specifically for this medical center by Russelectric. The equipment is a critical piece to providing essential power to the patients and staff of the entire medical center and a failure of this system would likely result in physical harm to patients and staff due to the lack of electrical power to the facility. Therefore due to the risk involved, the medical center is electing to retain Russelectric and their trained engineers and technicians to make the alterations to this critical existing equipment.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This procurement will be competed/synopsized on [www.fbo.gov](http://www.fbo.gov) and will indicate the requirement for brand name specification regarding the ASCO ATS electrical switching equipment.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost should be fair and reasonable to the government based on the overall project is being competed. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Switchgear manufactured by GE and APC-Schneider have been investigated. Their systems are capable of performing the needed electrical switching, however, integrating other manufacturers' systems with the existing medical center emergency power network would require the use of extensive gateways and communication/protocol translators. This extra equipment required would be cost prohibitive, and significantly complicate the system. These factors make it necessary to stay with the RUSSELECTRIC gear.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. See Items 5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Item 8 above.
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:** Not Applicable – See Item 5.
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.



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Nicholas Carrozza  
Assistant Chief Engineering

3/10/17

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Date

**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.

Donald P.  
Tam 522751

Digitally signed by Donald P. Tam  
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Donald P. Tam  
Contracting Officer  
Network Contracting Activity (NCO) 10

03-23-2017

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Date