

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval (J&A)  
For  
Other Than Full and Open Competition (>\$150K)**

**Acquisition Plan Action ID:** 629-18-4-661-0322 *InRow Cooler Maintenance*

**1. Contracting Activity:** *Department of Veterans Affairs, VISN 16, Southeast Louisiana Veterans Healthcare Service Medical Center, Facilities Management Service.*

**2. Nature and/or Description of the Action Being Processed:**

*The purpose of this requirement is that contractual services are required and needed to provide assessments and maintenance for the Southeast Louisiana Veterans Health Care System Schneider Electric InRow Cooling Systems. Preventative maintenance on the system includes but not limited to providing maintenance, repair, and inspection services on existing InRow Cooling Systems. Proprietary work and data require that the work cannot be completed by outside sources as Schneider Electric does not certify third parties working on their equipment. Any technician that is not certified and factory trained by Schneider Electric may risk equipment failure and damage. This will be a fixed-price contract.*

**3. Description of Supplies/Services Required to Meet the Agency's Needs:**

*The overall purpose of this requirement is to provide maintenance for the SLVHCS In Row Cooler Systems. Preventative maintenance on the system includes but not limited to providing maintenance, repair and inspections.*

**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;
- (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):**

**Only One Responsible Source and No Other Supplies or Service Will Satisfy Agency Requirements per FAR 6.302-1**

*The current InRow Cooler systems in place are manufactured by Schneider Electric. Schneider Electric does not allow any third party technicians to work on their equipment. The risk of using non*

*certified Schneider technician puts the equipment at risk of damage and equipment failure to the systems in place and also runs the risk of unnecessary costly repairs if a certified technician compromises the equipment. A letter from Schneider Electric has been attached as further background concerning the existence of only one responsible source.*

**Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

The exceptions listed on FAR 5.202 (Synopsis of Proposed Contract Actions) do not apply to this acquisition. It is not the government's intent to limit or restrict competition, however, the specific services required for this procurement are only available from one source, the current Schneider Electric In Row Coolers in place can only be maintained by certified Schneider Electric technicians, therefore a competitive solicitation is not the best acquisition strategy for this procurement.

**6. Determination by the CO that the anticipated cost to the Government is determined fair and reasonable**

*In comparison to similar requirement with certified technicians and in comparison based on the IGE, the cost is determined fair and reasonable.*

**7. Description of the Market Research Conducted and the Results, or a Statement of the Reasons — Market Research Was Not Conducted:**

*Market research indicates that Schneider Electric was deemed the only viable source for completing this work without compromising system integrity or maintenance. Schneider holds proprietary rights to their equipment and does not certify any third parties to maintain Schneider equipment. A notice of intent to sole source was posted and no objections were received.*

**8. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

*A notice of intent to sole source was posted on FBO. No other company expressed interest or claimed to be certified to maintain this equipment. There were no objections received regarding a sole source award.*

**9. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

**The sole source:** Schneider Electric  
1660 Scenic Ave  
Costa Mesa, CA 92626

**Competition before Making subsequent acquisitions for the supplies or services required:**

**10. VA plans to continue the maintenance and repairs of the InRow Coolers in place and familiarity with the system as a whole, but must be kept in a position of uninterrupted responsibility for all materials and work done on the system.**

**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.

Angela McKenzie  
Acting Chief, Facilities Management Services  
Southeast Louisiana Veterans Health Care System

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Sole Source Justification Format >\$150K

**12. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP: *This part if filled out by Contracting Staff as part of the Justification***

- a. **Contracting Officer or Designee's Certification (required)**: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

RACHEL A  
BABIN 150799

Digitally signed by  
RACHEL A BABIN 150799  
Date: 2018.09.11  
14:59:44 -05'00'

Rachel Babin  
Contracting Officer  
NCO 16  
Travis Sippel  
458945

Digitally signed by Travis Sippel 458945  
Date: 2018.09.12 10:23:27 -05'00'

Travis Sippel  
Contract Supervisor Service Team A

9-11-18  
Date

\_\_\_\_\_  
Date



January 1, 2018

RE: Sole Source Letter

Schneider Electric (specifically, Schneider Electric IT USA, Inc., and Schneider Electric IT Mission Critical Services, Inc.) is the manufacturer and the only authorized service provider of APC/MGE power equipment. Our field engineers are provided with continual training in preventative and remedial maintenance of our products, in addition to field advisories, and updated firmware and software, all of which enable them to implement the latest engineering changes and upgrades to APC/MGE brand equipment. Other service providers cannot offer the benefits of Schneider Electric factory-trained technicians or the proprietary documentation and materials integral to providing our superior level of service.

Schneider Electric does not certify outside technicians to service APC/MGE equipment. External personnel may not be adequately trained or otherwise familiar with our equipment, which could result in risk of equipment damage or failure, as well as other loss or injury. Schneider Electric is also unable to ensure the reliability of competitor parts and materials provided or installed on our equipment. Warranty and contracted customers who elect competitor parts and service risk voiding their coverage plans and may incur additional charges as a result of unauthorized modifications to equipment.

Thank you for your support of Schneider Electric products and services.

Sincerely,

*Bryan West*

Bryan West  
Vice President Service Sales, Mission Critical Services