

LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: 36C256-19-AP-4538

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 16, Southeast Louisiana Veterans Health Care System
- 2. Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program ([41 U.S.C. 251](#) and [40 U.S.C. 501](#)).
Order against: ☐ FSS Contract Number: New Requirement

Name of Proposed Contractor: Louisiana CAT

Street Address: 3799 W Airline Hwy
City, State, Zip: Reserve, LA 70084

Phone: (985) 536-1121

3. Description of Supplies or Services:

The estimated value of the proposed action is \$502,961.50

The emergency power systems located at 2400 Canal St. is used to provide the facility power during the loss of electricity from the main feed. The need for a backup electrical system is one of absolute importance. In May 2019, there was a complete loss of power to the facility due to a malfunctioning of the emergency power system. While investigating this issue further, a multitude of issues were discovered with the generator and ancillary emergency power systems. Louisiana CAT shall provide all labor, materials, hardware, maintenance, and support necessary to ensure the complete assessment of the emergency power system.

Louisiana CAT is the sole source capable to provide a full system assessment.

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see [8.405-6\(a\)\(1\)\(i\)\(A\)](#), (B), and (C) or [8.405-6\(b\)](#)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

This is urgent and compelling as we have identified flaws in the system that lead to a complete power loss of the whole campus. The system has multiple redundancies; however this particular issue defeats all automated means and introduces multiple potential single points of failure. Because of the nature of the event as it occurs, there is no warning and no way for the facility to plan or attempt to plan for system failure. The failures and malfunctions have been sporadic. The issue could come up again at any moment, so it is urgent and compelling we assess the system to ensure we do not impact safe patient care and life safety.

☒ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized.

Louisiana CAT is the only party capable of performing this work due to the proprietary nature of the automation systems involved in the emergency power system. The vendor is also bringing all involved parties, which includes manufacturer representatives for the individual systems and components, together to assess and fix the issues discovered. The medical center has had repeated challenges in diagnosing the problem when speaking to vendors separately. We have observed finger pointing and accusations from other vendors stating that their system or equipment is not at fault, however they are never altogether when this occurs. This contract would allow for all vendors to be present and develop a cohesive solution from a system approach rather than by equipment. The system needs to be evaluated as a system, not as individual components. Louisiana CAT will be responsible for coordinating with all required parties at no additional cost to the government.

☐ In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☒ Items peculiar to one manufacturer:

☒ A patent, copyright or proprietary data limits competition. The proprietary data is: (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☒ These are "direct replacements" parts/components for existing equipment.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

The programing which operates the emergency system was developed by CAT switchgear and is proprietary software. The equipment and interconnections between CAT and other switchgear was also designed, manufactured and installed by CAT.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

The Southeast Louisiana Veterans Health Care System's emergency power system is a mission critical system that only Louisiana CAT is the only party capable of performing this work.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Market research was not conducted, as it is known that Louisiana CAT systems are proprietary, OEM parts are necessary, and the ancillary emergency power systems must be compatible in all aspects.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

N/A

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Mariel P. Paciera
152895

Digitally signed by Mariel P.
Paciera 152895
Date: 2019.09.06 16:40:26 -05'00'

SIGNATURE

DATE

Mariel Paciera

Acting Chief, Clinical Engineering

NAME

TITLE

SERVICE LINE/SECTION

Southeast Louisiana Veterans Health Care System

FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM Part 806.3 OFOC SOP](#):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

09-11-2019

Kevin D Pollard
Contracting Officer

DATE

b. One Level Above the Contracting Officer (Required over the SAT but not exceeding \$700K):
I certify the justification meets requirements for other than full and open competition.

09-11-2019

SIGNATURE
Joseph Warren
Branch Chief
NCO16 – Services Team D

DATE

Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)