

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Veterans Health Administration (VHA), Service Area Office (SAO) East, VISN 2, VA Western New York Healthcare System (VAWNYHS), Batavia, NY.

This proposed procurement will be competed and include a brand name product. This document shall be used as a "Justification for Other Than Full and Open Competition." The applicable purchase request is 528-14-1-9492-0005.

2. **Nature and/or Description of the Action Being Processed:** This brand name procurement is part of a larger construction project that will be awarded as a firm-fixed price contract. The brand name specification is for the Nurse Call system which will work in conjunction with an existing Nurse Call system at the VAWNYHS, Batavia, NY.

In competing this requirement, the VA has determined that the Nurse Call system must be the following brand name:

Rauland (Responder 5 Series)

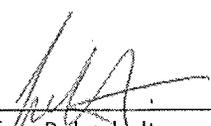
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Nurse Call system shall be Rauland Responder 5 Series which must have the ability to interface and communicate with the existing Rauland Responder 5 series software and control system throughout the VAWNYHS Batavia, NY. System hardware shall consist of a nurse and patient communications network comprised of nurse consoles, control stations, staff and duty stations, dome lights, and call cords, pull cord stations, emergency push button stations, wiring.
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):** Under FAR 6.32-1(b)(1), "when there is a reasonable basis to conclude that the agency's minimum needs can only be satisfied by-(i) Unique supplies or services available from only one source or on only one supplier with unique capabilities," then the government can procure that specific, unique item or its equal.

In this case, the system is to interconnect and be compatible with a much larger major system. The use of a brand name (Rauland) system is advantageous to the VAWNYHS, Batavia, NY for several reasons including compatibility and interactivity between the existing Nurse Call system and the new system. Therefore, it is in the best interest of the Government and my recommendation that the VAWNYHS specify the Rauland Responder 5 as part of this overall procurement. Allowing a nurse call system other than Rauland would require purchasing additional computers to monitor the separate system and would require VA personnel to log on to different computers and system, in lieu of a single system as we have currently. Additionally, staff would be required to be trained on a new system. This would result in a substantial duplication of cost to the Government that could not be expected to be recovered through competition.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: There are other Nurse Call vendors but their systems are incompatible with the current system installed throughout the facility. If the Government chose a system other than Rauland, it would require purchasing additional computers to monitor the separate system and would require VA personnel to log on to different computers and systems, in lieu of a single system as we have currently. The additional equipment expense and additional manpower to monitor multiple systems would not be feasible.
7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The cost to the Government will be fair and reasonable as equipment needed is part of a larger procurement that will be competed.
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: There are other manufactures of Nurse Call systems with many of the salient characteristics described above but are not completely compatible with the current Nurse Call System.
9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: No one has expressed interest.
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:
Currently, no actions are planned to remove the barrier to competition in restricting the Nurse Call system to the above named Rauland equipment. If an alternative becomes available that meets compatibility with the Rauland system installed in this Medical Center, this barrier to competition will be removed.
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.



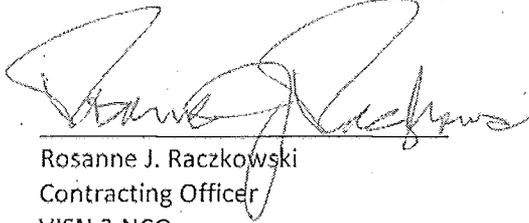
Jeffrey Reberholt
Acting Chief, Facilities Management
VA Western New York Healthcare System, VISN 2

10/16/13

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.



Rosanne J. Raczkowski
Contracting Officer
VISN 2 NCO

10-16-2013
Date

- b. NCM/PCM (Required \$150K and below): I certify the justification meets requirements for other than full and open competition.



Jason White
Supervisory Contract Specialist
VISN 2 NCO

10/16/13
Date

