

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** The Department of Veterans Affairs (VA), Veterans Health Administration (VHA), Network Contracting Office (NCO) 10, Cincinnati VA Health Care Center (CVAHCC), Cincinnati, OH. The VA proposes to award procurement on the basis of other than full and open competition (BRAND NAME) for six (6) SureSigns Vital Signs Monitors and accompanying equipment. The Purchase Request Number is 539-14-3-043-0022.

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

This proposed action is for a firm-fixed-price purchase order issued to Other Than Full and Open Competition (BRAND NAME) on the open market to purchase six (6) SureSigns Vital Signs Monitors and accompanying equipment for use in Nursing and Surgery. The requirement will be solicited on Federal Business Opportunities (FBO) as a small business set-aside.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** The Department of Veterans Affairs, VA Health Care Network of Ohio (VISN 10), has a requirement for six (6) SureSigns Vital Signs Monitors and accompanying equipment for use in Nursing and Surgery (as annotated below). The Philips Healthcare SureSigns VM1 is the only product that can provide these specially designed continuous pulse oximetry monitoring needs that are **compatible** with our current Philips Multi-Measurement Server. There are no other companies that could provide the needed items without replacing this main server, which monitors all critical care, cath lab, and telemetry units at this time.

ITEM NUMBER	DESCRIPTION OF SUPPLIES/ SERVICES	QUANTITY	UNIT
1	SURESIGNS VITAL SIGNS MONITOR, VM1, SpO2, CO2, REC. (AO2 ACCESSORIES NOT INCLUDED, S01 3-YR PARTS ONLY) LOCAL STOCK NUMBER: 863266	6	EA
2	SURESIGNS MONITOR ROLLSTAND WITH MOUNTING PLATE. LOCAL STOCK NUMBER: 989803144001	6	EA
3	SpO2 8-PIN D-SUB ADAPTER CABLE 3M (8PIN) LOCAL STOCK NUMBER: M1943AL / 989803128651	6	EA
4	REUSABLE ADULT SpO2 SENSOR LOCAL STOCK NUMBER: M1191BL / 989803144381	6	EA
5	SURESIGNS CONF/IMP SVCS - AO2 SURESIGNS - 1 DAY LOCAL STOCK NUMBER: MXU0029	1	EA

**4. Statutory Authority Permitting Other than Full and Open Competition:**

( X ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1.

**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 (FAR 6.302-1)- This contract is for highly specialized equipment that only Philips Healthcare can provide due

to equipment needing to be compatible with existing equipment currently being used throughout

medical center and running on existing server. Philips Healthcare is the only firm capable of providing this service without substantial duplication of cost to the Veterans Health Administration that could not be recovered through competition and unacceptable delays in fulfilling requirements.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A sources sought was conducted surveying vendors on mandatory schedule 65 II A/ A-50A Vital Signs Monitors. It has been determined that there are small business vendors can provide this product/service. Additionally, the product/service of this equipment requires proprietary knowledge and therefore can only be performed by the manufacture or distributor.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Anticipated cost will be \$25,341.93. This is considered fair and reasonable based on costs of other service contracts for equipment of similar complexity.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** In accordance with Federal Acquisition Regulation (FAR) part 10.002, below are the market research sources and their corresponding findings:

- a. Historical acquisition information (review of recent market research results for similar or identical supplies/services).
- b. The requester and other Government representatives completed market research and provided an Independent Government Estimate (IGE). The IGE was mostly derived from informal vendor quotes and procurement history. They have also provided a recommended source, which is Philips Healthcare.
- c. A Google search provided more information about the products being requested. The items being requested are not on a GSA contract.
- d. A search in the electronic Contract Management System (eCMS) under Philips Healthcare indicated that there have been approximately forty-two (42) other orders were found to have been awarded to Philips Healthcare within VHA in the last five years. Only one of these orders was for sites within VISN 10.
- e. Reviewing catalogs and other generally available product literature, specifically the GSA Advantage! online catalog. GSA Advantage! Searches showed that this equipment is not available on any VA FSS contract schedule.

**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:**

- Philips Healthcare
- Glomax

**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:** Although there are not any additional anticipated requirements for this system at the Cincinnati VA Medical Center, the agency will work with the program office to perform additional market research if any additional equipment is needed to add-on to the current system. If this action is approved, this Justification for Other Than Full & Open Competition will be posted on the Government Point of Entry (GPE), FBO with the Notice of Award of the proposed purchase order.

**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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MARY F. SMYTH

Administrative Officer, Nursing Service  
VAMC Cincinnati

  
\_\_\_\_\_  
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.

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JASON E LAWSON  
CONTRACTING OFFICER  
CINCINNATI VA MEDICAL CENTER

\_\_\_\_\_  
Date

**b. NCM/PCM :** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
TERRY SPITZMILLER  
DIRECTOR OF CONTRACTING  
NCO 10

\_\_\_\_\_  
Date