

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. Agency and Contracting Activity:

Department of Veterans Affairs (VA)
Office of Acquisition Business Operations
Acquisition Business Service (ABS)
425 I Street, NW
Washington, DC 20001

2. Description of action being approved: The proposed action is for a firm fixed price contract to procure maintenance and support for the En-Pro Management PlusTrac System Program on fifty-two (52) Automated External Defibrillators (AED) brand name Zoll Medical Corporation (Zolls), a proprietary system that must be maintained with Zolls products. This requirement will be issued as Combined Synopsis Solicitation Small Business Set Aside under FAR Par 12.6 and will be issued thru Federal Business Opportunity Website. The award will be for a one (1) twelve (12) month base plus four (4) twelve (12) month option period.

3. Description of Supplies/Services-Describe the Supplies are services to be acquired: VA has a need to procure the En-Pro Management PlusTrac System which will provide a consumable and compliance tracking system for 52 AED located in the VA Central Office (VACO) buildings. In addition to the consumable and compliance tracking system, the En-Pro Management PlusTrac System provides the required State Medical Direction as required by D.C. Code § 44-232. VA is responsible for managing a 100% compliant AED program campus in accordance with (IAW) the 2011 master agreement between VA and the American Federation of Government Employees, Article 29/Section 18 B and D.C. Code § 44-232.

As part of the compliance requirement, VACO Building Management Division (BMD) requires a maintenance program which will monitor the working order of each AED. The En-Pro Management PlusTrac System provides the oversight required by regulation and will provide maintenance support for the AED's that VA currently has. The En-Pro Management System will provides; 1. Medical direction and oversight which provides the VA access to a licensed physician to issue a medical prescription required for each AED in accordance with the Food and Drug Administration classification of AEDs as Class III medical devices; 2. Online tracking of routine maintenance which ensures that the AED's are being maintained at the required functioning level. En-Pro will monitor the usage of (i.e. Consumable supplies, Expiration of the AEDs electrode pads, Provide notification of when the AED's require replacement of the AEDs batteries, A track volunteer responder certification and provides VA with pending expirations of certifications, As well as normal functionality and provide VA Safety staff through electronic reminders via the PlusTrac system when and if an AED requires maintenance, or restocking of supplies). AED maintenance is required to be completed monthly by VA safety staff to ensure the devices are operable and accessible for emergency use; 3. Provides VA access to the applicable protocols and regulations concerning Federal, State, and local AED laws. AED Protocols are guidelines that regulate the site assessment, application, maintenance, training and other components that are required for the continued use of the AED's by VA AED program; 4. Will provide regulatory support in the completion and filing of all registration forms and other documentation required to register 52 AEDs with Emergency Medical Services at its

facility (IAW) AED laws; and 5. Event Data Download Service which provides detailed information each time that an AED is connected to an individual. Zoll, the equipment manufacturer, was contacted to see if there was any other software application on the open market that was capable of providing the same level of oversight as the En-Pro Management PlusTrac system supplies. Zoll responded back stating that the Zoll AED's could only work with other Zoll products, as such the En-Pro Management PlusTrac system is the sole maintenance program for Zoll manufactured AEDs. The estimated value of the proposed action is \$39,000.00.

4. **Statutory Authority:** The statutory authority permitting other than full and open competition is 41 U.S.C.253(c) (1) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

5. **Supporting Rational:** The AED's which the VA currently have are manufactured by Zoll Inc. Zoll Inc was contacted to ascertain what software programs available on the open market would work with Zoll AED's. Zoll Inc informed the VA that the En-Pro Management PlusTrac program is the only program which would work with Zoll AEDs.

6. **Description of Efforts to Obtain Competition:** The requirement will be solicited in the Federal Business Opportunity Website to maximize the competition requirements.

7. **Determination of Fair and Reasonable:** The solicitation for this effort will be posted on the Federal Business Opportunity website for this commercially available service. The award will be based upon the competition for the services, as such the award that will be made for this effort will be fair and reasonable based on the competition available in the market place.

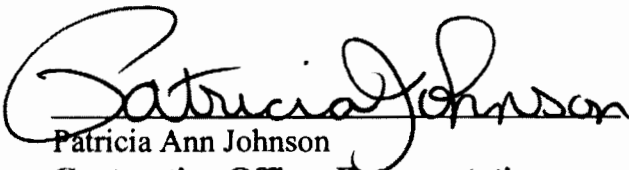
8. **Market Research:** Zoll products are proprietary, as such a representative of Zoll Products, Patricia Pratt, was contacted to obtain a list of authorized Zoll Small Business resellers. Ms. Pratt provided a list of four (4) vendors that can provide the En-Pro Management PlusTrac System as stated above. Federal Supply Schedule (FSS) 65 II A, Medical Equipment and Supplies were reviewed to see if the list provided by Ms. Pratt included any vendors that have FSS. From the list there were two vendors, DXE Medical and AED INC, which have FSS Contracts. Further research revealed that although Dixie Medical and AED Inc. both carry the En-Pro Management PlusTrac Maintenance System, only DXE Medical supplies offers the En-Pro Management PlusTrac Maintenance System as a standalone product not requiring the purchase of new AED's in order to purchase the En-Pro Management PlusTrac Maintenance System. Therefore, based on the results of the market research, this requirement would not receive adequate market competition as there is only one vendor on the Federal Supply Schedules, which can offer the services as required. It would be in the best interest of VA to issue this requirement on the Federal Business Opportunity Website in order to widen the competition base.

9. **Any other facts supporting the Justification:** N/A

10. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition:
After Action Medical and Dental Supply, Dixie Medical Inc, AED Brands LLC and Square One Medical.

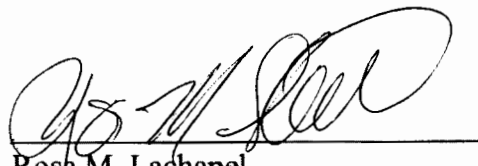
11. Actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required: This requirement will be solicited on the FBO website to expand the competition base. Market research has shown that there are four (4) viable companies that can offer the En-Pro Management PlusTrac System in accordance with the needs of VA.

12. Technical and Requirements Certifications: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.


Patricia Ann Johnson
Contracting Officer Representative

9-2-14
Date

13. Contracting Officer Certification: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on current market practices/prices.


Rosa M. Lachapel
Contracting Officer

9/3/14
Date