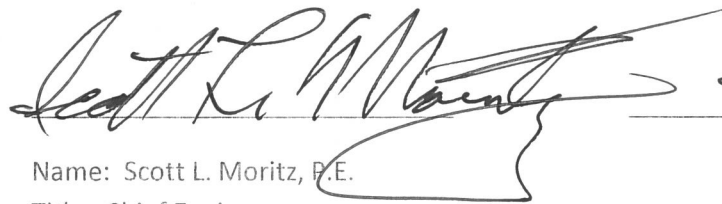


**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, Network 11 Contracting Office, 8888 Keystone Crossing, Indianapolis, IN in conjunction with the VISN 11 Engineering Officer, Richard L. Roudebush VA Medical Center Indianapolis IN. Purchase Request number 583-14-4-650-0172; Project 583-13-102 Renovate Radiation Oncology.
2. **Nature and/or Description of the Action Being Processed:** Brand name only request for Nurse Call / Code Blue System by South West Communication (SWC). Action is contained within the specifications and/or drawings of a project that will be awarded as a new contract or task order action of the firm-fixed price variety.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**  
Nurse Call / Code Blue System (including call lights, exam room ready station, etc.) total estimated value is \$7,500, 2 sets, delivery commensurate with the construction project performance period which is 120 calendar days.
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 (41 U.S.C. 3304(a)(1))  
☐ (2) Unusual and Compelling Urgency per FAR 6.302-2 (41 U.S.C. 3304(a)(2))  
☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3 (41 U.S.C. 3304(a)(3))  
☐ (4) International Agreement per FAR 6.302-4 (41 U.S.C. 3304(a)(4))  
☐ (5) Authorized or Required by Statute FAR 6.302-5 (41 U.S.C. 3304(a)(5))  
☐ (6) National Security per FAR 6.302-6 (41 U.S.C. 3304(a)(6))  
☐ (7) Public Interest per FAR 6.302-7 (41 U.S.C. 3304(a)(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):** Nurse Call / Code Blue System by SWC are used throughout the entire Richard L. Roudebush VA Medical Center. The quantity throughout totals in the hundreds. SWC is proprietary precluding the use of another brand (as are all other Nurse Call / Code Blue Systems). Use of another brand would result in a serious breach of patient safety whereby Nurse Call / Code Blue would be inoperable due to incompatibility with the existing SWC programming (where programming is in place) and master Nurse Call / Code Blue System (VA Police and Bio-Med Engineering require one master system to access all Nurse Call / Code Blue in the event of an emergency). Because of the proprietary nature of the entirety of the Nurse Call / Code Blue System used throughout the medical center and the fact trying to incorporate other systems would result in patient safety concerns and overall medical center security concerns, using SWC in this construction project is essential to the Government's requirements, thereby precluding the consideration of a product manufactured by another company.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** During the design of the project by the professional AE firm, research performed confirmed that no other Nurse Call / Code Blue manufacturer is compatible with the existing SWC System. An attempt was previously made to incorporate other systems which failed

due to programming incompatibilities and inability of VA Police to access Code Blue with their master system in the event of an emergency.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer has determined the anticipated cost will be considered fair and reasonable. The entire construction project which the SWC System is part of is being competed via a 100% set-aside for SDVOSB firms. Competition will insure a fair and reasonable price. Only price analysis is contemplated due to the requirement being advertised using sealed bidding procedures (FAR 14) and several bids are expected to be received (based on past experience and pre-solicitation notice responses and inquiries).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted during the design phase as described in item number 6 above. No other brand satisfies the needs of this project via the Nurse Call / Code Blue System. No further market research was conducted due to the fact the AE design firm has the expertise and experience having designed similar projects both for Government and private industry whereby Nurse Call / Code Blue System are deemed crucial to be of one brand for failsafe interoperability which is crucial in a hospital setting.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** There are no other facts to support the use of other than full and open competition regarding the Nurse Call / Code Blue System. All pertinent rationale have been provided in items 5, 6, and 7 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** This is an entire construction project and several companies have expressed interest after posting of the pre-solicitation notice, however those interested did not do so in writing, only via phone calls and informal emails to gather further information about the project scope. No companies have expressed interest in writing as that is not the nature of how the procurement process works for construction.
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:**  
No actions are anticipated to overcome the barrier regarding the lack of competitive Nurse Call / Code Blue System manufacturers that would be compatible with the existing SWC System. As in many other specialized systems used throughout the construction industry, they are proprietary in nature and are incompatible with competing systems.
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.



Name: Scott L. Moritz, P.E.

Title: Chief Engineer

Facility: 583 Indianapolis RLR VAMC

9/14/14

Date

**13. Approvals in accordance with FAR 6.304** *This part is filled out by Contracting Staff as part of the Justification*

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

\_\_\_\_\_  
Name: Carol Lewis

\_\_\_\_\_  
Date

Title: Contracting Officer

Network 11 Contract Office

- b. **DOC (Required \$3K and above)**: I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Name: Donald R. King

\_\_\_\_\_  
Date

Director of Contracting

Network 11 Contract Office

- c. **SAO(If over \$650K)**: I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Ricky L. Lemmon

\_\_\_\_\_  
Date

SAO Director

Central Region

- d. **VHA HCA Review and Approval**: I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$12.5 million) or approve (\$650K to \$12.5 million) for other than full and open competition.

\_\_\_\_\_  
NORBERT S. DOYLE

\_\_\_\_\_  
Date

Chief of Procurement and Logistics Officer

VHA, Head of Contracting Activity

- e. VA Deputy Senior Procurement Executive Approval (over \$12.5 million but not exceeding \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

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C. FORD HEARD

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Date

Deputy Senior Procurement Executive (DSPE)

Office of Acquisition and Logistics

Department of Veterans Affairs

- f. VHA Senior Procurement Executive Approval (over \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

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JAN R. FRYE

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Date

Deputy Assistant Secretary for Acquisition and Logistics

Senior Procurement Executive (SPE)

Department of Veterans Affairs