

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, Samuel S. Stratton VA Medical Center, Albany, 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 528-15-2-9207-0001.

2. **Nature and/or Description of the Action Being Processed:** This brand name procurement is part of a larger construction project for Renovate 4B for Community Living Center that will be awarded as a firm-fixed price contract. The brand name specification is for devices, equipment, components, and programming which will work in conjunction with existing nurse call, room control, fire alarm and suppression, and door security systems.

Through completion of this requirement, the VA has determined that the following equipment, devices and related components must be the following brand name:

Hill-Rom Nurse Call, Wanderguard, Notifier Fire system, and Stanley Door Security components.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Hill-Rom Nurse Call, Wanderguard, Notifier Fire system, and Stanley Door Security components are all additions to existing systems that require the usage of hardware and software that is proprietary to the manufacturer of those systems' components. In order to be compatible with the existing systems at the medical center and maintain that compatibility through system hardware and/or software updates and upgrades over time, the systems' components must all be of the same manufacturer/brand where the entire system is able to update at the same time to maintain system integrity.

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;
- () (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 systems are to interconnect and be compatible with much larger major systems. The use of brand name (Hill-Rom Nurse Call, Wanderguard, Notifier Fire system, and Stanley Door Security components) systems is advantageous to the medical center for several reasons including compatibility and interactivity between the existing systems and the new systems. Allowing a system other than the aforementioned brand names 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. There would also be significant duplications of contract work for the maintenance of those systems. Using components other than the brand name components of the aforementioned brands would also void any existing warranties of those systems. Therefore, it is in the best interest of the Government and my recommendation that the Albany VAMC specify the brand names of Hill-Rom Nurse Call, Wanderguard, Notifier Fire system, and Stanley Door Security components as part of this overall procurement.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** There are other brands but their systems are incompatible with the current system installed throughout the facility. Any of the prime contractors being solicited are able to purchase the requested brand name items as commercially available off the shelf items (COTS)
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, room control, fire alarm and suppression and door security systems with many of the salient characteristics described above but are not completely compatible with the current systems.
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:** Seven vendors have expressed interest, in writing, in bidding this acquisition.
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 medical center's systems to the above named equipment. If an alternative becomes available that meets compatibility with the systems 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.

Oscar Prue
Supervisory General Engineer
Samuel S. Stratton VAMC, VISN 2

Date

13. Approvals in accordance with FAR 6.304

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

Jason White
Contracting Officer
VISN 2 NCO

Date

b. **Quality Assurance**: I certify the justification meets requirements for other than full and open competition.

Mary Ellen Haefner
Procurement Analyst
VISN 2 NCO

Date

c. **Division Chief**: I certify the justification meets requirements for other than full and open competition.

Julie McCann
Division Chief
VISN 2 NCO

Date