

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)**

1. Contracting Activity:

VA Midwest Health Care Network, VISN 23
474 45th St. S Suite 202
Fargo, ND 58102

2237#: 618-15-2-6065-0004

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

This procurement is for maintenance and support of the current Vidyo in room equipment that is used for TeleICU. A new firm-fixed-priced purchase order (base year plus 4 option years) will be awarded on a sole source basis for the procurement of maintenance and support of the previously purchased in-room equipment

FAR13.5 Test Program: This procurement is for maintenance and support of the previously purchased in-room equipment in accordance with FAR 13.5 Test Program for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

VISN 23 has installed Vidyo equipment across monitored sites in VISNs 23, 15 and 20. The implementation of this equipment enhances communication by meeting the latency constraints across the WAN, which allows for clear communication and for the audio to align with the video, which is not currently possible at sites at great distance from the Tele-ICU Support Center. The use of this audio visual equipment will enable greater collaboration, as multiple clinicians will be capable of viewing the same room simultaneously and allows all users in a session to both speak and hear. The equipment and services to be purchased includes all products listed below.

Maintenance and Support of the In-Room Equipment

- 24x7 Phone Support
- Software Updates
- Remote Technical Assistance to factory repair A/V Server

Site:	Quantity
Minneapolis	VISN23 Infrastructure
Minneapolis	In-Room Systems – Qty 23
Omaha	In-Room Systems – Qty 16
Iowa City	In-Room Systems – Qty 10

Fargo	In-Room Systems – Qty 5
Sioux Falls	In-Room Systems – Qty 6
Fort Meade	In-Room Systems – Qty 5
Des Moines	In-Room Systems – Qty 9
Spokane	In-Room Systems – Qty 4
Saint Cloud	In-Room Systems – Qty 17
Marion	In-Room Systems – Qty 8
Leavenworth	In-Room Systems – Qty 8
Topeka	In-Room Systems – Qty 6
St. Louis-MICU	In-Room Systems – Qty 12
St. Louis-SICU	In-Room Systems – Qty 12
Wichita	In-Room Systems – Qty 8

(a) ESTIMATED DOLLAR VALUE: \$494,650.00

(b) REQUIRED DELIVERY DATE:

Base Year
(Date of award to 3/26/2016)

First Option Year
(3/27/2016 to 3/26/2017)

Second Option Year
(3/27/2017 to 3/26/2018)

Third Option Year
(3/27/2018 to 3/26/2019)

Fourth Option Year
(3/27/2019 to 3/26/2020)

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;

FAR13.5 Test Program: The authority for applying the Commercial Test Program of FAR 13.5 is (Section 4202 of the Clinger-Cohen Act of 1996) and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Yorktel is the only trusted video integration and managed service partner for the Philips eCareManager Implementation in dozens of healthcare systems, including VA hospitals in VISN 7, 10, 15, 20 and 23. Yorktel's particular engagement is with the TeleICU program for Philips (former Visicu). We began our work with them in late 2012 to deploy both in-room and mobile TeleICU systems. Their product based upon the Vidyo platform went into production on March 15, 2013. After speaking with both Yorktel and Philips it has been determined that several vendors can support the Vidyo equipment but only Yorktel can provide support to the equipment and the proprietary eCareManager software that Philips owns. This interface combines high definition video conferencing within the eCareManager application allowing for enhanced patient care. The cost of continuing to support the current equipment is far less than replacing all TeleICU software and infrastructure.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A sources sought was posted to FBO for several days to search for potential vendors during the market research phase of this procurement.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** FAR Part 13.106-3 will be utilized to determine the price fair and reasonable. The anticipated pricing will be determined to be fair and reasonable based upon comparisons with pricing from recent purchases. A final fair reasonable determination will be made prior to award.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A sources sought was posted to FBO on 11/24/2014 looking for potential vendors that could meet the requirements listed in the SOW. The following documents the result of that sources sought: UNICOM Government, Inc. stated they could provide Vidyo Service and highlighted their technical support experience however they are not able to interface with the Philips eCareManager Software. Yorktel provided information that they are the partnered with Philips Healthcare and that they are the video integration and managed service partner for the Philips eCareManager Implementation. VectorUSA stated that they have 25 years of experience in providing service based on NAICS code 334310 however that they can provide service for the project but they did not have the ability to work with the Philips eCareManager software. Further market research showed that Philips was contacted to determine which vendors were capable of providing the required services to the Vidyo equipment. After speaking with both Yorktel and Philips it has been determined that several vendors can support the Vidyo equipment but only Yorktel can provide support to the equipment and the proprietary eCareManager software that Philips owns.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
None known.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

YORKTEL CORPORATE (UNITED STATES)
81 Corbett Way
Eatontown, NJ 07724
Phone 732-413-6000
866-836-8463

UNICOM Government Inc.
6909 International Drive
Greensboro, NC 27409
336-605-6269

Vector Resources, Inc.
3530 Voyager Street
Torrance, CA 90503-1666
281-993-8187

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:

VA will maintain familiarity with business sector in case any other systems become available that may satisfy the government's requirements. VA will also talk to manufacturer to see if they have distributors.

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: Nick Muhlenbruch
Title: Biomedical Engineer
Facility: VISN 23

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.

Name: Lance Haman
Title: Contracting Officer
Facility: NCO 23

Date

- b. **Director of Contracting/Designee (Required \$150k and above):** 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.

Name: Chris Volk
Branch Chief, NCO 23

Date