

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10, Network Contract Office 10 (NCO 10), Louis Stokes Cleveland VAMC, will enter into a construction contract that requires the procurement of this item which requires justification for other than full and open competition. A purchase request number is not yet available.
2. **Nature and/or Description of the Action Being Processed:** This project is named “Improve Water System to Prevent Legionella” and the Project will upgrade and correct the facility’s Potable Water System to reduce the potential for formation and growth of Healthcare-associated Legionnaire’s Disease (HCA-LD) and other contaminants as well as ensure fixtures are up to date for anti-scald prevention. Project will address recommendations made by the Facility Water Safety Management Plan/Committee and bring the facility into compliance with VHA directive 1061 (Prevention of Healthcare-Associated Legionella Disease and Scald Injury from Potable Water Distribution Systems) by addressing the following items: Dead legs, anti-scald, system monitoring, circulation and recirculation, documentation of existing conditions and investigation into possible Biocide Treatments.
3. **Description of Supplies/Services Required to Meet the Agency’s Needs:** The wireless sensor monitoring system consists of multiple temperatures, humidity, and 4-20mA voltage input from other sensing devices. This wireless sensor monitoring system already exists in the Louis Stokes Cleveland VAMC facility and will need to be extended to encompass this project. The extension of this wireless sensor monitoring system will enable the continued temperature and humidity trend logging to continue at the same workstation that other spaces are currently being monitored thus permitting the continued monitoring from a central location and platform without the challenge of breaking these spaces off onto a new system. If a new wireless sensor monitoring system were installed, it would be more costly and require information to be gathered from two separate operating systems, as compared to keeping all the information flowing from a single platform. The estimated value for the wireless sensor monitoring system materials is \$15,780.
4. **Statutory Authority Permitting Other than Full and Open Competition:** The product is being procured under the authority of 41 U.S.C. 253 (c) (1), FAR Part 6.302-1 (a) (2).

 - (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)**. Mesa Laboratories, Inc. is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements. Mesa Laboratories, Inc. owns the proprietary rights to the equipment, software and distributorship. The wireless sensor monitoring system is designed to be used by other Checkpoint products only. As such, each new device must tie into and communicate with the existing facility's Checkpoint system. Each device in the wireless sensor monitoring system constantly communicates with the front end operator workstation. This allows the system to monitor and log each and every existing temperature, humidity, or 4-20mA device. This system will record and log information relative to these spaces that are necessary to ensure that all sterile storage spaces are to maintain space temperature, humidity and pressure as required with the additional proof of accurate documentation confirming all of these parameters. Software conflicts would make it difficult to impossible for devices by another manufacturer to communicate with the existing wireless system and any outage to the network will impact patient care. Checkpoint is needed to interface with the current equipment and keep the network fully functional.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable**: This procurement will be competed and synopsised on Fed Biz Ops (www.fbo.gov) as an Invitation for Bid (IFB) and will indicate the requirement for brand name specification (Mesa Labs) regarding the wireless sensor. Since the construction contract is being awarded as a firm fixed price contract through competitive sealed bidding, the bidders are incentivized to locate the supplier that will provide the item at the most economical price.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable**: It is anticipated that two (2) or more bids will be received through the sealed bidding process. If two (2) or more bids are received than the cost of the entire project will be considered fair and reasonable to the government based on competition.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted**: This equipment is uniquely specific. While there are other manufactures of wireless sensor monitoring equipment that have comparable equipment, an exact match cannot be provided.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition**: None. See Items 5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition**: None. (Market Research will be completed for the entire construction project).
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**: Not Applicable – See Item 5.
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.



Virgil Adams
COR
Louis Stokes Cleveland VAMC

11/13/2015
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.

Donald P. Tam
Contracting Officer
Network Contracting Office (NCO) 10

5-09-2016
Date

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

Terry L. Spitzmiller
Director of Contracting
Network Contracting Office (NCO) 10

Date