

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VHA 814842

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 23, 708 S 3rd Street, Suite200E, Minneapolis, MN for the Department of Veterans Affairs, VISN 23, VA Midwest Health Care Network, 2805 Dodd Road, Suite 250, Eagan, MN 55121 (618-17-1-6065-011)
2. **Nature and/or Description of the Action Being Processed:** This is a request for other than full and open competition for the procurement of a Software Support Services contract for VISN 23's WaveMark Cardiac Cath Inventory Management System for the period of one year to commence immediately after award of a firm fixed price requirements contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The contractor shall provide software support services for the WaveMark Cath Lab inventory management system throughout VISN 23 facilities. This system is used to track the use of cath lab supplies such as catheters and stents, associating those supplies with patients for product outcomes tracking purposes, for inventory management, for tracking recalls and expiration dates, etc. Each product is assigned an RF ID tag which is then associated in the WaveMark system with a product in its Oracle database. As the product is used, it is scanned such that the specific product can be processed in accordance with the functions stated above. The estimated value of this acquisition is **\$317,412**.
4. **Statutory Authority Permitting Other than Full and Open Competition:** Per FAR 6.302.1, only one Responsible Source and no other Supplies or Services will satisfy Agency Requirements due to the proprietary nature of the product.
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This is a follow-on contract for the procurement of proprietary software support services for the WaveMark Cath Lab inventory management system. The cath lab inventory management system has been developed for use with the WaveMark RFID Smart Cabinets currently used throughout VISN 23 to track Cath Lab supplies. Due to the proprietary nature of this system, no other vendor can provide the required software and database updates necessary for the continued use of the system and the government owned WaveMark cabinets. It would be cost prohibitive to entertain another inventory system which would require the replacement of forty-three (43) WaveMark RFID Smart Cabinets and associated hardware/software, at an estimated aggregate cost of \$2,313,161.00.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This is a proprietary system that has been tailored for Government (VA) Medical Centers, there are currently no other Commercial Off-The-Shelf (COTS) products that are available which would meet Government requirements. However, this action will be synopsisized and published on the Government Point of Entry, FedBizOpps.

Acquisition Policy Flash 16-20 Compliance – Vendor was contacted concerning authorized distributors of the requested product; it was confirmed that in order to support current users on the system, WaveMark support continuously updates a master product database that lists product barcodes and other product data. This data is created and maintained by WaveMark through password access which is controlled by WaveMark. WaveMark owns the code for this product library and does not provide access

to that code to other vendors. This back-end support of the users is what enables product tagging and is essential to the smooth functioning of the system.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Similar products and services are available in the commercial market place and there are current established pricing for these products, which will serve as a basis for determining fair and reasonable pricing.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research has shown that the identified vendor is the only known source for the proprietary software support services.
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:** WaveMark, Inc.
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:** Due to the proprietary nature of this acquisition, no actions can be taken to foster competition for future acquisitions of this product.
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.

CAROLINE A. CAMPBELL
Chief Biomedical Engineer
VISN 23

12-13-2016

Date

13. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**

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

KENNETH J. ESHOM
Contracting Officer
NCO 23

12-14-2016

Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

JESSE R. RHEAULT
Branch Chief
NCO 23

Date