

Solicitation: VA246-17-Q-0613

Title: OR Integration System for Three (3) Operating Rooms (VA Richmond Medical Center)

Solicitation/Contract Attachment B – Brand Name Justification

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA246-17-AP-3426

1. **Contracting Activity:** Department of Veterans Affairs, VISN 6, VA Richmond Medical Center (Hunter Holmes McGuire Medical Center), Network Contracting Office 6 (NCO 6). Purchase request 652-17-1-165-0044.
2. **Nature and/or Description of the Action Being Processed:** This procurement is for the brand name only procurement of a STERIS Harmony iQ OR Integration system for three (3) new OR rooms at the VA Richmond Medical Center in Richmond, VA. This action is taken in accordance with FAR 13.5 Simplified Procedures 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:** This requirement will include materials and ancillary services to complete an OR integration system in three new OR rooms, being constructed under a separate contract. The estimated value of this procurement is \$[redacted], for equipment and installation over a 12 week period.
 - a. Construction contract VA246-14-C-0104, awarded to Edgewater Construction, provides for the renovation of three OR rooms. The construction contract includes delivery and installation of the STERIS Harmony LED Surgical Lighting and Visualization System. Specifically, the active contract will result in the installation of a STERIS surgical lighting system that includes an HD capable suspension, surgical equipment booms and supply heads for medical gases, electric outlets and perfusion. The contract also provides for various medical grade displays and wall monitors.
 - b. This contract action, identified under purchase request 652-17-1-165-0044, will add (1.) video cabling and monitor connection kits for the existing Harmony LED Surgical Lighting and Visualization system, (2.) additional medical grade displays and wall monitors, (3.) the STERIS Harmony iQ OR Integration base units and related digital capture devices, surgical light controls, STERIS M Series cameras, equipment necessary for video teleconferencing and music integration equipment.
4. **Statutory Authority Permitting Other than Full and Open Competition:** The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

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5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

- a. This is a brand name only justification for a STERIS OR Integration System. The OR Integration System needs to be compatible with the Harmony LED Surgical Lighting and Visualization system (and other equipment) being provided under contract VA246-14-C-0104, in order to serve the general purpose of integrating the OR room. Limiting this procurement to brand name only OR integration equipment will ensure the that the system performs the following functions, in conjunction with the STERIS Harmony LED Surgical Lighting and Visualization System: (1.) Ability to control existing surgical lighting, (2.) ability to control the existing "in-light" cameras, (3.) ability to control/transmit to the existing OR displays, (4.) to ensure a vendor neutral system, given a variety of manufactured video devices, and (5.) to ensure the OR rooms feature an open architecture for future system expansion needs. By definition, an OR integration system includes the ability to control OR displays, surgical cameras and surgical lighting.
- b. Three competing manufacturers were identified during market research. Draft salient characteristics and a Draft Statement of Work were provided to those manufacturers and their distributors. The exchanges led to the conclusion that no other manufacturer's system will integrate with the existing STERIS HarmonyAIR Surgical Lighting and Visualization Systems, without negotiation of rights to proprietary code and subsequent reprogramming of existing equipment to meet the facility's specific needs.
- c. The facility's need is for a commercial OR integration solution, to include all equipment and installation, necessary to meet the activation of three (3) OR rooms in the middle of calendar year 2017. Given the technical complexity, and the risk of failure associated with the integration of systems from two different manufacturers, this action is being solicited as a brand name only requirement.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: A sources sought was issued to FBO.gov on 18 January 2017, for three business days, returning five (5) responses. Acquisition history was reviewed for a similar project at another facility.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Comparison with previous projects and informal vendor quotes indicates that the price will be fair and reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Extension discussions were held with alternative manufacturers and their distributors. A sources sought was posted to FBO.gov. Acquisition history and manufacturer websites were reviewed.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None.

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10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Buffalo Supply, Inc.
(DUNS: 109070714).

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:** To remove barriers, the facility would have to re-procure the surgical lighting and visualization systems already included in three (3) OR rooms.

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.

//signed// _____
[redacted] _____ Date
Biomedical Engineer
Hunter Holmes McGuire Medical Center

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

a. **Quality Assurance Review:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

//signed// _____
[redacted] _____ Date
Lead Contract Specialist
NCO 6

b. **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.

//signed// _____
[redacted] _____ Date
Branch Chief, Supply Team 1
NCO 6

c. **Director of Contracting /Designee (redacted):** I certify the justification meets requirements for other than full and open competition.

//signed// _____
Director of Contracting (Designee) _____ Date
NCO 6