

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval (J&A)**  
**For**  
**Other Than Full and Open Competition**

**Acquisition Plan Action ID:** VA246-17-AP-2110

**2237 Number:** 637-17-1-996-0004

1. **AGENCY AND CONTRACTING ACTIVITY:** Department of Veterans Affairs  
Asheville VA Medical Center Network Contracting Office 06  
1100 Tunnel Road 100 Emancipation Dr.  
Asheville, NC 28805 Hampton, VA 23667
  
2. **Nature and/or Description of Action Being Approved:** This justification provides rationale for limiting this acquisition to a brand name only acquisition of MICU beds manufactured by Hill-Rom Co. Inc. Nine (9) of the beds in the ICU suite need to be replaced to due to reaching the end of their lifespan. A Firm-Fixed Price Delivery Order is planned with a required delivery 6-8 weeks ARO.
  
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Asheville VA Medical Center is replacing 9 beds in their MICU suite. All of the beds within the ICU must be of the same design and setup. Each ICU bed is inclusive of a base bed with egress frame design, Intellidrive with 6" casters, nurse call button (includes lighting and universal television controls), permanent IV pole on the left side of the bed, and transport shelf. These beds are manufactured and sold by Hill-Rom Co, Inc. The estimated value of this acquisition
  
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):** The Asheville VA Medical Center is replacing nine of the existing beds in MICU of our total 25 beds in our Critical Care Bed Fleet. The nine beds being replaced have reached the end of their life span or have a repair history that makes continued repair cost prohibitive. Replacement of these beds will result in warranted beds for, at minimum, one year and minimal repair costs due to wear and tear. The remaining beds in the Critical Care Fleet are newer (purchased in 2013) and there are no current issues with repair costs therefore precluding them from being replaced. Standardization has been implemented within the fleet and is critical to enhancing and ensuring Patient Safety. This will also reduce the workload on the constrained availability of Biomedical Engineering staff and reducing waste by that department storing parts and knowledge for two separate bed vendors. A critical patient safety example is in a cardiac arrest situation the patients head must be lowered rapidly while calling for a “Code Blue” utilizing in place call buttons and then beginning CPR as quickly as possible. Differences in ICU beds, specifically the placement of controls, would cause the nurse or doctor administering care to have to locate what type of bed they were using and then begin the process rather than begin administering the steps expeditiously. Failure to maintain the in place standardization could result, at worst in the loss of patient life. The existing beds in the ICU are the exact same as the ICU beds being purchased. Due to patient safety, especially during emergent situations such as cardiac arrest, all beds within the ICU have been standardized.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The Department of Veteran’s Affairs is soliciting this acquisition via FBO in the open market with a Veteran Owned Small Business (VOSB) Set-Aside due to a class waiver to the non-manufacturer rule for NAICS Code 339113 and PSC Code 7195 for medical beds. The Contracting Officer Identified at least two potential VOSB’s capable of performing this acquisition. Advertising this requirement on FBO ensures competition to the maximum extent practicable for Hill-Rom Progressa ICU Beds.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer believes fair and reasonable pricing will be obtained through competition in the Open Market.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons**

**Market Research Was Not Conducted:** During a teleconference with the manufacturer, Hill-Rom, Inc., the representative identified two authorized distributors that are registered in VIP. The Contracting Officer located an SDVOSB and the other is a VOSB. Both contractors only have the products required available via the open market.

Only the manufacturer, Hill-Rom holds a Federal Supply Schedule.

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**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** These beds have been standardized for use at the Asheville VA Medical Center ICU.

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

Hill-Rom (Manufacturer)

Fedco, LLC. (Distributor)

JLS Medical Products Group (Distributor)

**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:** No action has been taken at this time. The only way to overcome the requirement for this Brand Name in the future is to replace the entire ICU Suite. Due to the current necessity of the service it would not be in the best interest of the Government to replace all of the beds.

