

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-2-969-0052

1. Contracting Activity:

Department of Veterans Affairs
Great Lakes Acquisition Center
115 South 84th Street
Milwaukee, WI 53214

VISN: 12
2237: 695-17-2-969-0052
Clement J. Zablocki VAMC
5000 W. National Avenue
Milwaukee, WI 53295

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

Justification for Sole Source procurement, for the Clement J. Zablocki VAMC requirement of a Patient Monitoring System, i/a/w: Public Law (PL) 109-461. A firm-fixed-price contract is planned.

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for a new patient monitoring system 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:

The Clement J. Zablocki VAMC is in need of a new patient monitoring system. This system shall include one (1) Connex CS server for sending spot/episodic vitals to CPRS/VistA, one (1) CS Central Station, thirty (30) Connex 6700 vital signs monitors with EarlySense devices connected to the Central Station, one (1) Connex 6700 vital signs monitor with EarlySense on a portable roll stand, and thirty (30) Connex 6700 vital signs monitors without EarlySense. EarlySense is continuous, contact-free patient monitoring, which will be piloted on one of the inpatient units. This system shall also include interfaces between the Central Station and the facilities owned Extension system and between the Connex monitors and the facilities owned Nurse Call system for nursing notifications. This procurement shall also include all project management and technical services to install, maintain, and support.

4. Statutory Authority Permitting Other than Full and Open Competition:

Vets First Program – Public Law (PL) 109-461

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 Welch Allyn Connex CCSS system will meet the needs of the Government, and only Welch Allyn and authorized distributors are able to provide it. The Connex CCSS system is required as it is the

only system that has a Class II approved interface with the VistA Vitals Package, and is compatible with the Welch Allyn SureTemp temperature and Masimo SpO2 consumables that the Clement J. Zablocki VAMC has standardized to, and has an EarlySense module because only Welch Allyn has a partnership with EarlySense. Other manufacturers have vital signs devices; however none has the approved Class II VistA interface or an EarlySense module. Therefore, the Welch Allyn Connex monitoring system is the only which will meet the needs of the government.

Several other vendors are able to provide the Connex monitors themselves, but Welch Allyn and authorized distributors are the only vendors able to provide the Connex software, project management, and interface integration required for this procurement. The server software is only available through Welch Allyn and authorized distributors directly.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

The only equipment that will meet the needs of the Government is manufactured by Welch Allyn, an Other Than Small Business. The Non Manufacturer Rule applies to this procurement as the IGCE is greater than \$25,000.00, and the NAICS and FSC code combination (334510 / 6515) does not exist on the SBA's Class Waiver List dated January 1, 2015, therefore a set-aside cannot be sought. The requirement is under the Welch Allyn NAC contract V797P4333B, and as such the prices have been determined to be fair and reasonable. In communicating with Welch Allyn, it was found that Welch Allyn has SDVOSB distributors capable of fulfilling the requirement. As the Non Manufacturer Rule at FAR 19.502-2(c), indicates the requirement cannot be set aside. As the timeliness for this requirement is important, a request for an individual waiver is not in the best interest for the Government. Therefore, pricing information was obtained from The Janz Corporation, a SDVOSB distributor, and pricing is comparable to that of the Welch Allyn pricing already found fair and reasonable i/a/w FAR 8.405-1.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Clement J. Zablocki VAMC is requesting sole source to The Janz Corporation, a Welch Allyn SDVOSB distributor, due to the Connex CCSS system being: 1) The only system that has a Class II approved interface with the VistA Vitals Package; 2) Compatible with the Welch Allyn SureTemp temperature and Masimo SpO2 consumables that the medical center has standardized to. And has an EarlySense module because only Welch Allyn has a partnership with EarlySense. Market research indicates that the items are available through the requested sole source The Janz Corporation.

This is in the best value of the Government, because purchasing a patient monitoring system of a different brand would be less cost effective due to other brands not having the Class II interface with the VistA Vitals Package, which is of great value because VistA holds all patient records, and with the Connex CCSS system interfacing with VistA, the records will not need to be manually input. Also, other brands will not have an EarlySense Module, which increases safety for the Veterans and additional training would be required for staff as the facility is standardized to the SureTemp temperature and Masimo SpO2 consumables.

i/a/w FAR 8.405-1 GSA has already determined the prices of supplies and fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. The pricing information received from The Janz Corporation is comparable to that of the Welch Allyn NAC contract pricing. The pricing information from The Janz Corporation is below the IGCE.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The NMR does apply to this procurement, the IGCE is greater than \$25,000.00, the appropriate NAICS and FSC code combination (334510 / 6515) does not exist on the SBA's Class Waiver List dated January 1, 2015, therefore a set-aside will not be sought.

Ability One website search was conducted; Ability One does not provide the required product. **VetBiz** search was conducted using the search criteria of NAICS Code: 334510 and Keyword: "Connex." The search resulted in no SDVOSB and no Veteran Owned Small Business (VOSB) vendors who may be capable of providing the requirement. **FSS** search conducted, resulting in one FSS contract holder capable of providing the requirement: - WELCH ALLYN INC. (19-822-7881) – Other Than Small Business – V797P4333B. **Communications with Manufacturer** resulted in WELCH ALLYN INC. advising of a SDVOSB distributor capable of providing the requirement: - THE JANZ CORPORATION (10-353-4595) – SDVOSB (verified in VIP).

Based on the information provided above, it is determined this procurement will be fulfilled by Sole Sourcing a contract to THE JANZ CORPORATION, a Service Disabled Veteran Owned Small Business, utilizing the Veterans First Contracting Program which requires the Veterans Affairs (VA) to increase contracting and subcontracting opportunities for Service-Disabled Veteran-Owned Small Businesses and Veteran-Owned Small Businesses. i/a/w: Public Law (PL) 109-461.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

Several other vendors are able to provide the Connex monitors themselves, but Welch Allyn and Welch Allyn distributors are the only able to provide the Connex software, project management, and interface integration required for this procurement. The server software is only available through Welch Allyn and Welch Allyn distributors directly.

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

Welch Allyn (manufacturer)
The Janz Corporation (SDVOSB 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:

If the threshold of \$25,000.00 for the Non Manufacturer Rule at FAR 19.502-2(c) would be increased, this would allow for set aside possibilities. If no change to the threshold, for any subsequent acquisition sole sourcing to a different SDVOSB distributor of Welch Allyn is practicable. Also, having a class waiver to the NMR in place or obtaining an individual waiver in the future would allow for a set-aside among SDVOSB 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.

SIGNATURE

Patrick Ingol – Supply Systems Analyst
Clement J. Zablocki VAMC

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.

SIGNATURE

Thomas H. Chesak – Contracting Officer
NCO-12

- 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.

SIGNATURE

Alea Barnes – Branch Chief Equipment Team
NCO-12