

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-AP-2034

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, Tomah, WI VA Medical Center. Purchase request 676-17-2-969-0025.
2. **Nature and/or Description of the Action Being Processed:** This action is a Brand Name Only justification where a new firm fixed price contract will be awarded. A Brand Name Only solicitation will be posted to FBO as a Veteran Owned Small Business set-aside.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Tomah VA Medical Center needs new beds throughout the facility. This system shall include forty-seven (47) Hill-Rom Advanta2 Bed Systems, two (2) Hill-Rom Compella Bariatric Beds with foam surface, one (1) Hill-Rom Compella Bariatric Bed with Low Air Loss Surface, one (1) Compella Bariatric bed training class (16 hours over two days) for two VA technicians, and one (1) Advanta2 bed training class (16 hours over two days) for two technicians. The total estimated value of the acquisition is
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 Tomah, WI VA facility has a total bed count inventory of \$1.5 million. The stock on hand for repair and excess Hill-Rom parts and mattresses is approximately \$70,000. There is a current base and four option year contract with Hill-Rom for headwall service/maintenance (VA69D-16-C-0202) which was effective 09-16-2016 with an ultimate completion date of 08-31-2021 in the amount of approximately \$102,000 per year (approximately \$437,009 for the base and all options). The beds require direct connect cords to connect the beds to the headwalls, the cost of which totals approximately \$10,800 and which were purchased last year. If a different brand of bed were to be purchased the VA would need to buy new cords (and couplers as well so the beds could be plugged into the existing Hill-Rom headwalls), a new stock of repair parts and mattresses, and the service contract in place would need to be terminated and a new service contract would need to be implemented. The amount of changes needed would be cost prohibitive and not in the best interest of the Government. The Hill-Rom brand beds are the only beds capable of meeting the need of the VA 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.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: Only equipment manufactured by Hill-Rom will meet the need of the VA. The Contracting office contacted Hill-Rom to determine if they had any authorized distributors capable of meeting the need of the VA and they stated via email there are at least two veteran-owned small businesses authorized to distribute the needed Hill-Rom equipment. A Brand Name Only solicitation set-aside for veteran owned small businesses will be posted to FBO in an effort to solicit from as many potential sources as practicable.
7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: It is anticipated that cost will be determined fair and reasonable by the anticipated competition, and a separate best value determination will be made as well.
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: The IGCE of \_\_\_\_\_ indicates the NMR does apply. The NAICS is 339113. The FSC is 7195. The size standard is 750 Employees. The NAICS/FSC/Description does match one of the SBA class waivers so set-asides can be pursued. Only items manufactured by Hill Rom will fully meet the need of the VA. There are other hospital beds but to procure those would be cost prohibitive as the current bed and headwall system throughout the hospital are Hill Rom and if the VA purchased new beds the VA would also have to purchase the additional headwall equipment which, again, would be cost prohibitive and not in the best interest of the Government. The manufacturer has stated they have one SDVOSB and one VOSB authorized distributors on the open market ( \_\_\_\_\_ ); both of these distributors can be found in VIP.
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: None.
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 this is required in the future the VA will conduct new market research and make a determination of the proper course of contracting action IAW the FAR and all other policy and regulation.

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.

STACY L. KUBE  
235934

Digitally signed by STACY L. KUBE 235934  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=stacy.kube@va.  
gov, cn=STACY L. KUBE 235934  
Date: 2017.06.08 13:48:43 -05'00'

Name  
Title  
Facility

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.

Daniel R.

Rasmussen 457897

Digitally signed by Daniel R. Rasmussen 457897  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=daniel.rasmussen@va.  
gov, cn=Daniel R. Rasmussen 457897  
Date: 2017.06.08 13:56:21 -05'00'

6/8/2017

Name Daniel Rasmussen  
Title Contracting Officer  
Facility GLAC

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.

ANDREA L MORRIS  
536084

Digitally signed by ANDREA L MORRIS 536084  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=andrea.morris6@va.g  
ov, cn=ANDREA L MORRIS 536084  
Date: 2017.06.13 15:34:41 -05'00'

Name  
NCO/PCO 12 Director of Contracting or Designee

Date