

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

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

Acquisition Plan Action ID: VA263-17-AP-7256

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, St. Cloud VA Health Care System, 4801 Veterans, St. Cloud Minnesota 56303-2099

2237: 618-17-2-6040-0034-Minneapolis Police Radio

1. **Nature and/or Description of the Action Being Processed:** A firm fixed price purchase order for the acquisition of additional Police Radio Coverage Expansion components to the existing Minneapolis VA HealthCare System's GE brand equipment.

2. **Description of Supplies/Services Required to Meet the Agency's Needs:**

PRODUCTS			
Item #	Part #	Description	Qty
1	EA-MAEQUIPMENT	Enterprise Access Equipment (ex. RHUs, SCUs, antennas, etc.)	2265
2	EA-PUBLICSAFETY	Public Safety Service Provider	768979
3	EA-3RDPARTYEQUIP	3rd Party Equipment (cables, parts, consumables, etc) for installation	1875
4	APEXPRO ARR OPT	ApexPro Full Arrhythmia Software Option	2
5	APRO-CH-US-ENG-AHA-4	ApexPro CH Transmitter (608)-614 MHz)	2
6	CF-414556-001	Multi-Link ECG 5-lead set with grabbers, 74cm/29 inches	2

7	2083083-001	Telemetry Installation Charge (included)	1
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SERVICES	
Brief Description of Service*	Period of Performance
EA-NETWORKDESIGN "EA-Design Services", qty 112	24 weeks
EA-PROJECTMGMT "EA-Project Management", qty 118	24 weeks
EA-SYSTEMCOMMISSION "EA-System Commissioning", qty 186	24 weeks
EA-SYSTEMINSTALL "EA-Installation", qty 1861	24 weeks
EA-SWEEPTTEST, qty 243	24 weeks

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

- ☐ (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;

The statutory authority permitting an exception to fair opportunity for this action is 38 U.S.C. 8127(c), known as the Veterans First Contracting Program which provides the authority to directly contract with a Service-Disabled Veteran-Owned Small Business (SDVOSB) or a Veteran-Owned Small Business (VOSB).

FAR13.5 Simplified Procedures for Certain Commercial Items: 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).

4. 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 brand name only justification to be purchased on a sole source basis from an SDVOSB 'TrillaMed' a VIP verified SDVOSB, who is an authorized distributor of these GE Healthcare products. When I contacted the local Minneapolis GE representative (Mr. O'Brien), he did some checking and realized that 'Trillamed' is their only authorized SDVOSB distributor. Rule of Two not met for Open

Market. Trillamed has been utilized by several sites in NCO 23 and has no past performance issues that I am aware of. The following information is provided per PPM 2016-05 for implementation of Kingdomware requirements for an SDVOSB sole source: The justification must comply with the format requirements at FAR 6.303-2. Specific attention should be given to the requirements outlined in FAR 6.303-2 subparagraphs (b)(5), (b)(6), (b)(7), (b)(8), (b)(10) and (b)(11) to maximize efforts to increase competition. The justification shall include:

- (i) The number of SDVOSB and VOSB reviewed: 1 VETBIZ verified vendor was reviewed and vendor provider documentation to be an authorized GE distributor
- (ii) Documentation on the basis of price reasonableness; reasonableness will be based on a SDVOSB quoted pricing compared to pricing listed on GE Healthcare's FSS contract.
- (iii) An explanation why only one firm can accomplish the requirement; this is a brand name only (GE Healthcare) procurement to expand the police radio system at the Minneapolis VA HCS, and GE stated they only have one authorized SDVOSB distributor -Trillamed.
- (iv) An explanation for finding the non-competitive procurement in the best interest of the government; this procurement allows the government to meet the requirements of Kingdomware via PPM 2016-05 as well as VA's socioeconomic goals for SDVOSB procurements.

This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. The Minneapolis VA Health Care System (MVAHCS) requires all parts and services required to expand and improve the reception of two-way radio signal (i.e. coverage) for the VA Police staff carrying these critical communication devices throughout the main building on the MVAHCS campus, plus extend the Physiological Monitoring & Telemetry system antenna infrastructure on the third floor. This public safety and security request is an expansion of the existing Mobile Access antenna infrastructure already installed at the MVAHCS and will extend two-way radio signal coverage into the 800 Mhz band. The additional bi-directional antenna coverage shall provide increased signal strength throughout the MVAHCS facility. Additionally, this project will include equipment, cabling, and integration services necessary to communicate with outside Public Safety Service Providers (i.e. Minneapolis Police, St. Paul Fire etc) in the Twin Cities area.

The police radio coverage expansion and Medical Telemetry components listed above are widely used at MVAHCS hospitals and clinics. The Minneapolis VA requires the same police radio coverage expansion and medical telemetry components listed in this request for purposes of standardization and ease of learning between the MVAHCS hospitals and clinics. MVAHCS has interchangeable parts and training has been conducted on the use and sanitization of the police radio coverage expansion components as listed in this request. Clinicians have been trained on the cleaning procedures and maintenance of these components.

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

Market research was conducted by contacting the brand name provider (GE Healthcare) regarding authorized SDVOSB/VOSB distributors of these products. The local/Minneapolis GE representative stated that they only work with one authorized SDVOSB -Triallmed, a VIP verified SDVOSB.

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

A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable: Pricing will be compared against GE Healthcare's FSS contract No. V797P-2239D to ensure fair and reasonable pricing.

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

Items are available directly from GE Healthcare via their FSS contract number V797P-2239D, however due to the Kingdomware decision, priority for VA procurements is given to SDVOSB/VOSB firms.

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

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

Triallamed, 30100 Telegraph Road, Suite 366, Bingham Farms, MI 48025 (VIP verified SDVOSB)

10. 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:

In the future, should another expansion of upgrade of the existing police radio system be needed, the Government will research any new potential SDVOSB/VOSB authorized distributors of the required equipment/system.

11. 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.

Date

12. 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.

08/16/2017

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.

08/16/2017

Date