

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

Acquisition Plan Action ID: VA69D-17-AP-4241

1. Contracting Activity: Department of Veterans Affairs, VISN 12, James Lovell Federal Health Care Center. Purchase request number 556-17-3-2993-0098.
2. Nature and/or Description of the Action Being Processed:
This action is a Brand Name Only Justification that will result in a new Firm Fixed Price contract with an estimated value of [REDACTED] FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for patient monitors 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 is for a patient bedside monitoring system upgrade for critically-ill patients. The new system will integrate monitoring and historical data from multiple monitoring sources and presents it to caregivers in the context of their mission to help reduce errors, enhance work flow productivity, and deliver quality patient care. This will be a one-time purchase with an estimated value of [REDACTED] and estimated delivery date of 11/01/2017.
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;

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).

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 required GE Carescape monitor is a patient monitor available with department-specific software packages for post-anesthesia care, intensive care, emergency care, and neonatal/pediatric care. This is an upgrade to currently in-use equipment, software, and monitoring system and only GE products will work as this upgrade must be fully compatible with existing GE assets. The software platform helps standardize patient monitoring systems across the facility and directly links to the Carescape portfolio of monitoring products—including bedside devices, central station, and intra-hospital transport monitors—as well as a variety of existing GE monitors and peripheral third-party devices. The software also uses the same algorithms across both the facility patient monitoring and

diagnostic cardiology systems currently used by the Lovell VA. GE Carescape monitors and prior versions are already deployed at this facility. The Lovell VA recently upgraded all the GE central stations and intends to upgrade the monitoring in the ICU as well as expanding the footprint of the telemetry. Again, there is an existing GE system in place, this acquisition is an upgrade to what is already in-use and GE is the only responsible source capable of providing it.

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

It has been determined that only GE manufactured equipment will meet the need of the Government. Market research has shown GE has multiple authorized distributors (two of which are Veteran-Owned). Therefore, a competitive request for quote solicitation set-aside for VOSBs is recommended to ensure offers are solicited from as many potential sources as practicable and IAW Public Law 109-461 and 38 U.S.C. 8127.

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

There is an expectation that two or more competitive quotations will be received and IAW FAR 13.106-3(a)(1) which states "Whenever possible, base price reasonableness on competitive quotations or offers" the price will in fact be determined to 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:

The IGCE of [REDACTED] indicates the NMR does apply. The NAICS is 334510. The FSC is 6525. The size standard is 1250 Employees. The NAICS/FSC/Description does match a SBA NMR Class Waiver.

GE is a Large Business and is the manufacturer of the required equipment and NAC/FSS searches showed that GE has the equipment listed under their VA NAC contract V797P-2239D. GE has stated via email that they have an authorized VOSB distributor on the open market (Alko) that can provide all the required equipment, and an authorized SDVOSB distributor (TrillaMed) authorized to use GE's VA NAC contract and who can also provide all the required equipment. Both vendors are VIP verified. GE also stated via email that they have two other SBs authorized to distribute (Jaken Medical and DXE Medical).

The facility has stated that only GE equipment will meet the minimum need of the Government because this is an upgrade to currently in-use equipment, software, and monitoring system and only GE products will work as this upgrade must be fully compatible with existing GE assets.

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 subsequent acquisitions for the supplies are contemplated the Contracting Activity will conduct market research at that time and determine an acquisition strategy that is in the best interest of the Government based on those results.

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.

Arnel De La Pena
519182

Digitally signed by Arnel De La Pena 519182
DN: dc=gov, dc=va, o=Internal, ou=people,
0.9.2342.19200300.100.1.1=arnel.depena@va.gov, cn=Arnel
DeLaPena519182
Date: 2017.09.25 03:12:39 -0500

August 25, 2017

SIGNATURE

DATE

Arnel De la Peña

Business Manager

Directorate Inpatient Services

NAME

TITLE

SERVICE LINE/SECTION

CAPT James A. Lovell FHCC, North Chicago, IL 60064

FACILITY

13. APPROVALS IN ACCORDANCE WITH THE VHAPM, Part 806.3 OFOC SOP:

a. CONTRACTING OFFICER'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

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0.9.2342.19200300.100.1.1=daniel.rasmussen@va.gov,
cn=Daniel R. Rasmussen 457897
Date: 2017.09.27 16:11:24 -0500

8/27/2017

CONTRACTING OFFICER/DESIGNEE'S SIGNATURE

DATE

Daniel Rasmussen
Contracting Officer

GLAC

FACILITY

b. One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

Alea Barnes 673035

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Date: 2017.09.29 09:19:01 -0500

8/29/2017

SIGNATURE

DATE

Alea Barnes

NAME

NCO/PCO 12 Director of Contracting/Designee