

## DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA259-17-AP-7654 Clinical Information System

#### 1. Contracting Activity:

Department of Veterans Affairs, Veterans Integrated Service Network 19, Network Contracting Office 19 6162 South Willow Drive, Suite 300 Greenwood Village, CO 80111 in support of the VA Eastern Colorado Health Care System located at 1700 N. Wheeling Street, Aurora, CO 80045. The 2237 number for this acquisition is 554-17-3-1889-0192

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

This procurement is the expansion of the existing Clinicom Essentric Clinical Information System to the new Denver VA medical facility. This requirement will add 94 additional inpatient beds to the Essentric's system infrastructure for the new Denver Medical Center currently being completed as well as system administrative training for clinical staff. This action will be a new Firm-fixed price contract.

#### 3. Description of Supplies/Services Required to Meet the Agency's Needs:

- a) Presently, Denver VA Medical Center has a license for 24 CliniComp and Universal Data Acquisition System (UDAS). The newly built Denver VA hospital is expanding the Essentris system for the intensive critical care (ICU) and low-acuity care units for an additional 94 beds to monitor and capture patient data at the new Aurora hospital. The new location requires an additional 94 CliniComp licenses for the additional beds as well as a system administrator training to clinical staff. The licenses include 30 Low-acuity beds focus in Medical; include 30 Low-acuity beds focus in Surgical, 30 Spinal Cord Injury (SCI) beds, and 28 ICU beds.
- b) This requirement includes hardware server upgrade and software for the Denver medical center to expand the capacity of the CliniComp Server to the Aurora location. This requirement includes the installation and implementation of CliniComp (118) data bridge system (UDAS hardware and UDAS cables), network and data acquisition. The below list provides specific requirements for the Clinical Information System to be implemented at the new Aurora medical facility. The total estimated value for the procurement is [REDACTED] The period of performance will be a base period of October 1, 2017 to September 30, 2018.

#### c) **JSN 5014: UDAS Box Interface Requirements**

This requirement includes the procurement and installation of a major component of patient data acquisition at Denver VAMC, the (UDAS). The UDAS device runs on a proprietary platform manufactured by CliniComp mounted at the bedside to provide an interface to various devices to be used in the (ICU) and low-acuity care units. CliniComp captures data from supported bedside devices and imports the data into the CliniComp and Vista Electronica Medical Record.

**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;

**FAR 13.5 Test Program:** *The authority for applying the Commercial Test Program of FAR 13.5 is (Section 4202 of the Clinger-Cohen Act of 1996) 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)**

This requirement requires items peculiar to one manufacturer; CliniComp Intl. Operations at the current facility use the peculiar products provided solely by CliniComp Intl. The system is currently in use at the existing Denver facility will be used at the new Aurora VA facility all components, new and upgrades must be compatible and interchangeable. The procurement includes the purchase of more licenses from CliniComp, Intl. CliniCom Intl. is the sole developer and manufacturer of their proprietary Essentris Clinical Information System. Essentric is a proprietary system to Clinicomp, their company does not partner with any 3<sup>rd</sup> party distributors. There is no equal product in the market place due to the propriety nature of their products. This capability is essential to the new medical facility opening and operating to service Veterans.

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

A sources sought notice VA259-17-N-0548 was posted on Federal Business Opportunities (FBO) and closed on 14 June 2017. The only response received was from the incumbent ClinComp Int. They responded with a statement of capability as requested. The Network Contracting Office 19 Small Business Specialist was contacted. A FedMine report was produced and sent to the Contract Specialist of all SB's and SDVOSB's/VOSB's with the NAICS 541511. All of the businesses on the two lists were sent the sources sought notice with a response date of 14 May 2017. No SB, SDVOSB or VOSB from the FedMine list has expressed interest in this requirement. Based on the information above, there is no reasonable expectation there are two (2) SB, SDVOSB, or VOSBs that can provide this critical capability at a fair and reasonable price. The only entity that responded to the technical requirement posted was the incumbent who provided documentation showing they can provide the new Aurora location with the Clinical Information System needed. ClinComp is the sole manufacturer and distributor of this requirement. We will continue to monitor the market for future changes with new entrants offering similar products.

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

The anticipated price will be fair and reasonable base on the past contract with Clinicomp. Contract VA259-P-0670. In this contract, ECHCS purchased 29 beds licenses with a cost of [REDACTED] The quote submitted will be evaluated using historic prices paid previously for the components requested to verify reasonableness.

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

As described in Section 6 above, a sources sought notice was posted to FBO. Also, companies with NAICS 541511 were sent the requirements posted in the sources sought notice requesting interest or the ability to perform the work based on the technical specifications. Only the incumbent ClinComp Intl provided a statement of capability. Based on the market research conducted ClinComp is the only entity that can produce the components need for the Clinical Information System at the new Aurora medical facility.

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

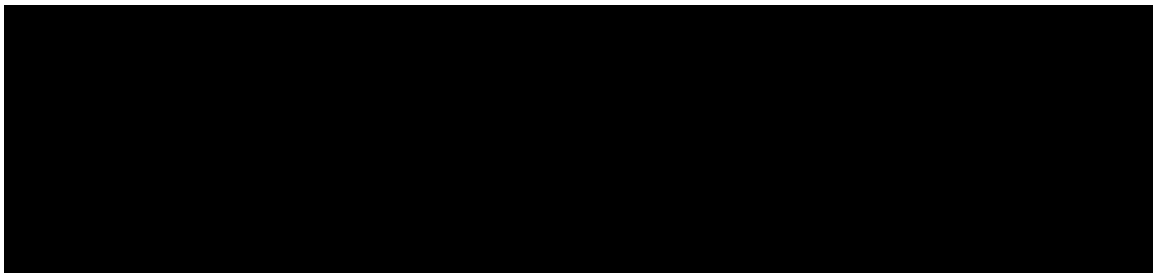
The medical equipment being procured needs to be an exact match to the existing Medical Equipment at the previous VA Site to ensure compatibility. Due to compatibility with the Denver VA Medical facility the Aurora facility requires the installation and training on the Essentris CIS for the new facility.

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

ClinComp Intl was the only entity that expressed interest in this acquisition.

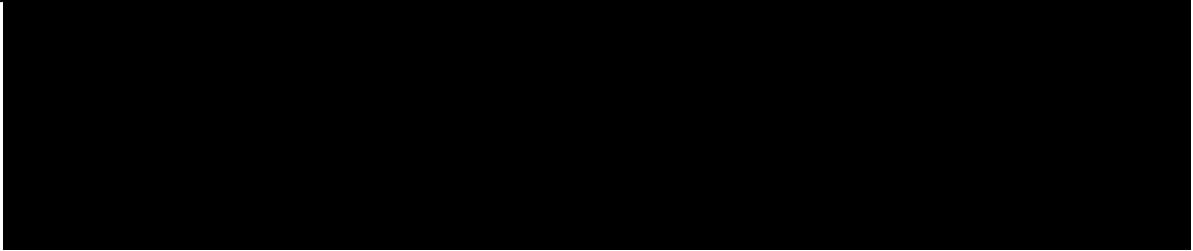
**11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** The acquisition team will continue to monitor the market for future changes with new entrants offering potentially compatible products to the existing system.

**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.

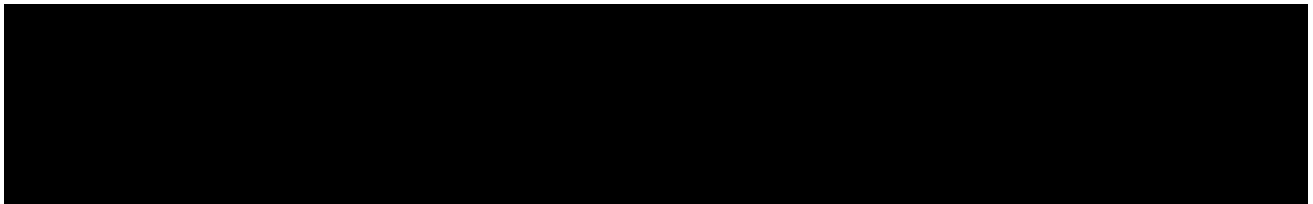


13. Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).

- 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.



- 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.



- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$13.5 million) or approve (\$700K to 13.5 million) for other than full and open competition.

