

DEPARTMENT OF VETERANS AFFAIRS
Brand Name Justification and Approval
For
LV03 - Personal Communication Device (PCD) System

Acquisition Plan Action ID: VA259-17-AP-7952

1. Contracting Activity:

Contracting Activity:

Department of Veterans Affairs
Network Contracting Office 19 (NCO19)
6162 South Willow Drive, Suite 300
Greenwood Village, Colorado 80111

2237: 554-17-3-1889-0204

Organizational Activity:

Department of Veterans Affairs
Eastern Colorado Health Care System (ECHCS)
Denver VA Replacement Medical Center
13611 E Colfax Avenue
Aurora, Colorado 80045

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

The proposed action is to approve the use of a Brand Name requirement for the Vocera PCD system. This requirement includes voice activated badges, smart phones to include delivery and reconfiguration of software for the new VA ECHCS located at 1700 N. Wheeling Street, Aurora, CO 80045. This procurement is an expansion of the existing Vocera system at the current facility and relocation to the new facility.

The proposed procurement is a new firm-fixed-price order for Vocera Communications, Inc. (brand name manufacturer) for the PCD system, in accordance with FAR 6.302 Circumstances Permitting Other Than Full and Open Competition and specifically FAR 6.302-1(c)(1) An acquisition that uses a brand-name description or other purchase description to specify a particular brand-name, product, or feature of a product, peculiar to one manufacturer, supported by a justification using the format of FAR 6.303 and FAR 6.304.

3. Description of Supplies/Services Required to Meets Agency's Needs:

The PCD system is to accommodate the VA ECHCS Initial Outfitting & Transition to the new facility. The PCD system will support ICU beds, 60 Medsurg beds, 30 Spinal Cord injury beds, 30 Mental Health beds, 49 PACU/Pre-op beds, 12 Emergency bays, 7 Dialysis bays, 7 Operation rooms, and 6 GI procedure rooms. The procurement includes software licenses, voice activation badges, smartphone devices, batteries, chargers, and accessories such as lanyards, clips, headsets, holsters, and user training kits. In addition to this procurement are professional service, 24/7 Support Premium for the base year and a four (4) year service maintenance is required. The four (4) year service maintenance agreement is required for system maintenance for when issues or problems arise with the functionality and usability of the requirement. As software ecosystem is continuously changing, maintenance is required to adapt to new changes, work patterns, software platforms, compilers, hardware upgrades, etc. to keep software fresh in changing circumstances and increasing the lifespan of the software. This procurement is to expand and upgrade the existing Vocera system to include capability for communication with smart PCD, staff engagement software to manage clinical/non-clinical alarm and critical clinical notification.

The total estimated value of this acquisition on the PCD system is [REDACTED] with an expected System Migration date of October 1, 2017 and an estimated Go-Live-Date of June 2018.

4. **Statutory Authority Permitting Other than Full and Open Competition:** The statutory authority permitting contracting without providing for full and open competition is Section 41 U.S.C. §3304(a)(1) as implemented by the FAR 6.302, Subpart 6.302-1(c)(1).

(X)FAR Subpart 6.302-1(c)(1): An acquisition or portion of an acquisition that uses a brand-name description or other purchase description to specify a particular brand-name, product, or feature of a product, peculiar to one manufacturer—

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Based on the market research described in section eight (8) of this document, it was determined that limited competition is viable among authorized distributors for the brand name Vocera PCD System. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Justification for the brand name Vocera is essential to the Government's requirements, thereby precluding consideration of a product manufactured by other companies.

Vocera is the sole manufacturer capable of meeting the requirements of the agency and to integrate with the existing facility's communication device system capabilities. Therefore, it is critical to procure the same existing products for system compatibility and smooth transition. In the future, as the system becomes obsolete, a market research will be conducted and a determination will be made for a new system that is suitable.

Vocera is the sole manufacturer and supports the utilization of small businesses to distribute their systems. Vocera is the leader in providing communication solutions that instantly and securely connect physicians, clinicians, and care teams. This PCD system is available through the manufacturer for procurement, as well as its distributors through Solutions for Enterprise-Wide Procurement (SEWP) and General Services Administration (GSA).

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

Market research was conducted, details of which are in the market research section of this document. Sources sought was posted on June 07, 2017. Two (2) Service Disabled Veteran-Owned Small Business (SDVOSB) responded to include Alvarez, LLC and Government Marketing & Procurement, LLC (GMP). A FEDMINE list was provided by Small Business Office and the two (2) who are on the list are the same as the two (2) SDVOSBs who responded to the sources sought. Competition is anticipated for this acquisition in the form of a brand name only request for quote, to be published on Federal Business Opportunities (FBO), and set-aside for SDVOSB. In accordance with FAR 5.301, this action will be synopsisized on FBO and the Brand Name Justification will be made publicly available.

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

Current contract pricing of this system is available through GSA and NASA SEWP. The SEWP and GSA are previously competed contracts within their respective programs. Since these two Vocera contract holders are on SEWP and GSA IT schedule; the respective COs have already deemed the pricing fair and reasonable.

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

Sources sought was posted on FBO on June 7, 2017 and two SDVOSBs responded. This requirement is currently being provided to other VA Networks by Alvarez, LLC and Government Marketing & Procurement, LLC (GMP). They are both SDVOSBs/VOSBs; Alvarez is a Vocera contract holder in SEWP and GMP is a GSA IT 70 schedule contract holder. There are also two (2) other contractors, ThunderCat Technology and Four Points Technology found in SEWP; however they did not respond to the sources sought. FPDS research of similar items shows that NCO 8 and NCO 21 are using this system. Furthermore, based on market research, which included a search of the Vendor Information Pages (VIP) database, FPDS, FedBizOpps and GSA Advantage, gave an indication that the Rule of Two in accordance with (IAW) 38 U.S.C. 8127(d) would be met by soliciting Service Disabled Veteran-owned small business (SDVOSBs). IAW Public Law 109-461, Sec. 8127, The contracting officer has a reasonable expectation that two or more small business concerns owned and controlled by veterans can meet the requirements of the purchase request at a fair and reasonable price.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: There are no other supporting facts.

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

ALVAREZ, LLC
9635 Maroon Circle, Suite 340
Englewood, CO 80112

GMP, LLC
13350 Ranch Road 12
Wimberly, TX 78676

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:

NCO19 will work in a manner that promotes competition to greatest extent practicable to compete future requirements and overcome barriers to competition in future acquisitions. The VA has and will continue to meet with industry on a periodic basis for continued input and feedback on acquisition strategies. The Requesting Service will continue working with the Rocky Mountain Acquisition Center in conducting market research to identify opportunities to compete future requirements as systems become obsolete.

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.

[Redacted]
[Redacted]
[Redacted]

[Redacted]

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.

[Redacted]
[Redacted]
[Redacted]

[Redacted]

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.

[Redacted]
[Redacted]
[Redacted]

[Redacted]

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.

[Redacted]
[Redacted]
[Redacted]

[Redacted]