

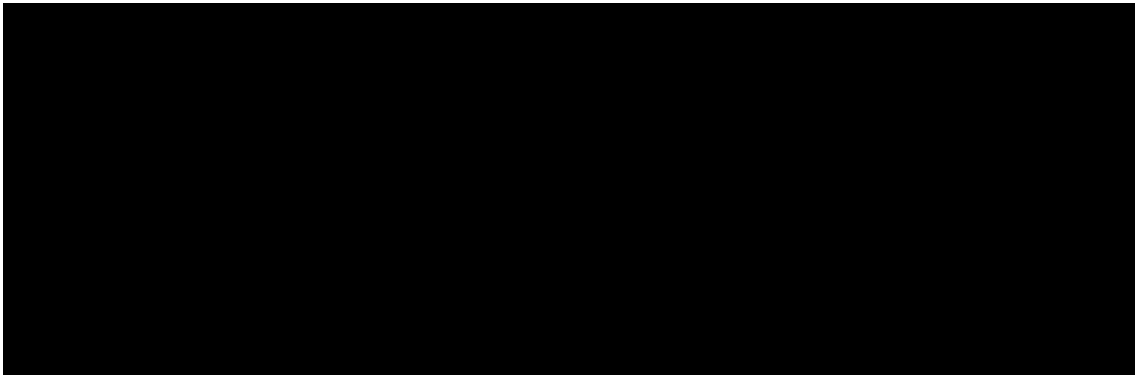
**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval (J&A)**  
**For**  
**Other Than Full and Open Competition (>\$150K)**

Acquisition Plan Action ID: VA261-17-AP-5077

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, VA of Southern Nevada Medical Center.

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

The Government requires an open-market contract for full-service maintenance plane with software updates for the Hill Rom Navicare Nurse Call (NNC) (3.6) system which is currently in use at the Las Vegas Medical Center. This will be a new firm-fixed price contract action which will begin on 05/01/2017. This procurement shall be conducted in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.0501 Special Document Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using format of FAR 6.303-2. The period of performance for this new firm-fixed price contract shall begin on 05/01/2017 and shall end on 04/30/2018, however this contract shall include four, one-year options.



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

The Department of Veterans Affairs requires the procurement of the of a full-service maintenance plan with software updates for NaviCare Nurse Call system in use at the Las Vegas Medical Center. The maintenance plan will include support services such as software updates in the form of minor releases, major releases, and remote technical assistance Hill-Rom shall provide updates to the licensed software as they are made generally available. Hill-Rom shall also provide telephone assistance for the implementation or installation of updates. In addition, Hill-Rom shall furnish technical telephone support on issues relating to the Nurse Call System. Hill-Rom will provide remote diagnosis and repair assistance via a networked connection to the Nurse Call System.

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):** As the trademark and copyright holder of propriety information embedded in the NaviCare Nurse Call System, only Hill-Rom can provide service and maintenance on this system. Accordingly, only Hill-Rom is capable of providing the service described in Section III without the Veteran's Health Administration experiencing substantial duplication of costs that cannot be expected to be recovered through competition and unacceptable delays in fulfilling its requirements. Due to the proprietary nature of the Hill Rom Navicare Nurse Call system firmware and software being utilized by the VA of Southern Nevada Medical Center; Hill-Rom is the recommended vendor for this system. VA of Southern Nevada support personnel are not qualified and trained to provide this type of needed support to this system. As this is the primary life safety system used within the facility, it is imperative that the VA of Southern Nevada Medical Center have immediate access for Hill Rom factory certified technical support.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** As the Hill Rom Navicare Nurse Call system being utilized by the VA of Southern Nevada Medical Center uses proprietary firm and software; no other Nurse Call vendor can provide the factory certified technical support required. In addition, an intent to sole source was published on March 7, 2017 to FBO.gov with no vendors responding to the notice.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Service and support for the Hill-Rom NaviCare Call System is a commercial Service Plan with Hill-Rom offers in all healthcare settings. The quoted and anticipated price is Hill-Rom's published commercial price. It is anticipated that the suggested price shall be determined to be price reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**  
Contract Officer conducted extensive market research for the same maintenance plan at another NCO location and then additional market research for this procurement. Hill-Rom does not provide any specifications and/or training to third-party vendors which would provide the opportunity for this requirement to be competed in the future. Even if they began doing that in the future, Hill-Rom would also have to provide these vendors access to their software as well.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**  
Sole Source award to Hill Rom is the only logical choice as the entire Navicare Nurse Call system being utilized by the facility operates on Hill Rom proprietary only firmware, software, networking, infrastructure, and peripheral devices.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**  
An intent to sole source was published on March 7, 2017 to FBO.gov with no vendors responding to the notice.
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:**  
Replacing the entire Hill Rom Navicare Nurse Call system would not be financially feasible or practical as this effort would require the entire system be shut down while the replacement was accomplished. This could take

weeks and would greatly hamper the Life Safety support provided to the VA patients throughout the entire Medical Center.

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 Signature]

Steven C Smith

Date

Electronics Supervisor

VA of Southern Nevada Medical Center

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 Signature]

Parvinder Brar

Date

Contracting Officer

NCO 21

- 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 Signature]

NCO 21 Branch Chief