

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-AP-8789
Purchase Request (2237): 695-18-2-6915-0001

1. Contracting Activity.

Department of Veterans Affairs, VISN 12, Clement J. Zablocki VA Medical Center, Milwaukee, WI and Great Lakes Acquisition Center, Honey Creek II, Suite 101, 115 South 84th Street, Milwaukee, WI 53214. VA Project Number 695-15-117.

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

The Renovate 8A for Outpatient Clinics project at the Clement J. Zablocki VA Medical Center in Milwaukee, Wisconsin is intended to be solicited as a total Service Disabled Veteran Owned Small Business Set-Aside utilizing sealed bidding (FAR Part 14) procedures. This project is the interior renovation of the existing in-patient unit into a Specialty Care Clinic. The clinic provides the following services for Veteran outpatient care: urology, orthopedics, neurosurgery, vascular care, plastic surgery, cardio-thoracic, and vascular care. There is also a Coordinated Outpatient Testing Center (COTC) just beyond the boundaries of the 7A clinic that will also be relocated to the new 8A clinic. The purpose of the relocation is for a new clinic to be created which will increase the number of exam rooms, create staff efficiencies, and increase Veteran experience through decreased wait times for appointments and a better environment of care. The 8A wing will be demolished with key infrastructure utility rooms and egress stairways remaining.

As part of this overall construction project, to facilitate integration with existing systems, the Clement J. Zablocki VA Medical Center requires the manufacturer as noted on the Furniture Schedule to be sole sourced as a brand name requirement.

<u>System / Equipment</u>	<u>Manufacturer and Model</u>	<u>GSA No.</u>
Modular Furniture	Herman Miller	GS-28F-8049H

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

Product integration with existing furniture systems at the hospital is mandatory to effectively operate cohesively throughout the hospital. Different furniture systems will not be compatible with the hospital's standard for modular furniture systems with regards to modifications, maintenance, replacement parts, repairs and updates.

This product, Herman Miller Modular Furniture, is the only product that matches our existing modular furniture. Other modular systems will not fit on the already existing hardware.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

It is necessary to match existing standardized products. This componentry can be field modified or adjusted to meet the demands of the work flow or equipment and occupational safety. These changes or adjustments are easy and can be quickly accomplished. The ability to adjust or modify these units expedites maintenance, repairs, easy reconfigurations, moves, changes in components or storage requirements. Other notable reasons for the exclusive use of Herman Miller furniture products include:

- Herman Miller products are currently on the GSA Contract and the FSS schedule.
- Modular furniture in a healthcare environment must have a Class A fire retardant rating. Herman Miller meets this requirement on all their products. All Herman Miller products meet or exceed BIFMA, ANSI, and NFPA standards. All Herman Miller fabrics meet or exceed ANSI and NFPA Standards, Class A. Additionally, electrical components must be UL listed and CSA Certified; and Herman Miller meets this certification throughout their entire product line, including older furniture.
- All Herman Miller's products meet or exceed OSHA standards for modular furniture. Herman Miller furniture exceeds VA expectations regarding LEED/ Green qualities and are a sustainable product line. Additionally, all Herman Miller products are GREENGUARD certified as low-emitting products that meet current indoor air quality standards.
- Herman Miller offers an industry-leading, 12-year, three shift (24 hour) warranty on all parts and labor, with minimal exceptions.
- VAMC Milwaukee maintains a stock of Herman Miller components. Our Facilities Management staff is very familiar with the Action Office product line.
- In most cases, different product manufacturers do not work together. There are proprietary details that make each system unique. For instance, you cannot hang Steelcase flipper doors on Herman Miller panels or wall strips. You can't put Haworth cantilever brackets on Allsteel panels. The sizing and hardware is completely different between all the systems.
- Herman Miller offers non-obsolete products. Herman Miller Action Office has been around since the 1950s. VAMC Milwaukee can still purchase components that work with other products that were purchased 35+ years ago. The manufacturer has not discontinued items that can make complete entire furniture systems obsolete. This is of paramount importance because VAMC Milwaukee reconfigures, moves and reuses modular furniture all over this campus, year after year.
- Flipper doors and shelf units must be able to mount on either the panel system or vertical wall tracks. All flipper doors and worksurfaces must be able to support a minimum of 200 lbs.
- All storage must be lockable and individual workstations must be keyed- alike. By standardizing on Herman Miller, it helps him maintain all the keys for the entire facility.

The estimated value for the items on the Furniture Schedule is \$264,740.

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;

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

Only One Responsible Source (FAR 6.302-1) Product integration with existing furniture systems at the hospital is mandatory to effectively operate cohesively throughout the hospital. Different furniture systems will not be compatible with the hospital's standard for modular furniture systems with regards to modifications, maintenance, replacement parts, repairs and updates. Many factors within interior spaces affect the health, both mental and physical, of patients, occupants, staff and visitors; modular furniture is key to those factors for VAMC employees who use the workstations and those that maintain them. It is the responsibility of the design team to ensure that a consistent approach is used with respect to modular furniture during internal renovation projects so that the hospital is perceived more professionally and to ease the workflow of staff between wards, departments or floors.

Changing to a different modular furniture provider would alter a methodology and aesthetic that the VA interior design team has been nurturing and tending to for the past decade. Alternate manufacturers would make minor renovations, alterations and replacements more difficult – especially between floors/wards. Additionally, maintenance and architectural staff have received training on upkeep of Herman Miller products and we have achieved efficiencies because of these standards with regards to care of these products.

The modular furniture manufacturer complies with all VA regulations, standards, green environmental management standards, and energy requirements for hospital and medical center environments. These components have been integrated with other design elements of the project such as our interior finishes schedule, lighting fixtures, bathroom fixtures, beds, head end equipment, blinds, window treatments, hardware, medical equipment, audio visual equipment, and signage. Changing of one component of this integrated design would have a significant and adverse effect, eradicating the above-mentioned items of the contract. Ensuring compliance with the design intent of the Modular Furniture Schedule throughout the 8A project will positively affect health and healthy behaviors of staff, patients, patient safety and comply with all VA and green management standards.

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

This contract is intended to be solicited as an Invitation for Bid (IFB) set aside to an SDVOSB firm, promoting competitive pricing. It is only the need to sole source Herman Miller modular furniture, as noted above, to make the project fully integrated with the existing Hospital aesthetic. Therefore, offerors will solicit from as many potential sources as practical in preparation of their bid an

accordance with the terms and conditions of the solicitation.

7. 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 will be fair and reasonable will be based upon adequate price competition through the sealed bidding process.

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

The Modular Furniture Schedule interacts with and complements many aspects of the overall hospital design aesthetic. Additionally, modular furniture is selected and designed to integrate cohesively with the interior design team's Material and Room Finish Schedule. Many factors within interior spaces affect the health, both mental and physical, of patients, occupants, staff and visitors; modular furniture is key to those factors for VAMC employees who use the workstations and those that maintain them. It is the responsibility of the design team to ensure that a consistent approach is used with respect to modular furniture during internal renovation projects so that the hospital is perceived more professionally and to ease the workflow of staff between wards, departments or floors.

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

This requirement is for certain pieces of fixed/modular furniture as a complement to specified and scheduled interior finishes so that the 8A renovation will be compatible with existing the hospital aesthetic.

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.

None.

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.

For Name: Linda Sue Schwarz
Title: Chief Engineer
Facility: Milwaukee VA

Date

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.

Name: Anne Vossler
Title: Contracting Officer
Facility: SAO Central, NCO12

10/30/2017

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.

Name: Ricky Bond
Title: Northern Tier Construction Branch Chief
Facility: SAO Central, NCO12

10/30/2017

Date