

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA242-17-AP-10910

1. **Contracting Activity:** Department of Veterans Affairs, VISN 2, James J. Peters Medical Center, 526-18-1-636-0009

2. **Nature and/or Description of the Action Being Processed:** This is a new acquisition firm-fixed price type contract valued at [REDACTED]. This is an emergency replacement acquisition for a new nurse call system to be installed and to remove the existing failed, antiquated, and non-repairable system in Bldg. 100 Wing 7C, Med-Surg. unit at the Medical Center. The new nurse call system will connect to a centralized Hill-Rom nurse call server in the Community Living Center.

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for purchase and installation of a new nurse call system 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 is an emergency replacement acquisition for one (1) new nurse call system to be installed and to remove the existing system in Bldg. 100 Wing 7C, Med-Surg unit at the Medical Center. The new nurse call system will connect to a centralized Hill-Rom nurse call server in the Community Living Center. The required delivery date is October 15, 2017 with a performance period of 21 calendar days.

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §3304(a)(1), as implemented by FAR 6.302-1.

(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):

a. **Only One Responsible Source (FAR 6.302-1)** – The new nurse call system must have the ability to connect to our centralized Hill–Rom server located in the Community Living Center. In 2007, a NRM program was established to replace the entire Medical Center's aging, antiquated, and separate nurse call systems. The centralized Hill–Rom system was selected and installed after a process of market research thru invitation and demonstration by companies/vendors that manufactures/supplies medical facility nurse call systems and performance based acquisition in 2008–2010. Having one nurse call system has benefited the Medical Center in efficiency and effectiveness in use by the nursing staff (and other staff) and patient since it provides familiarity of use when nursing staff and patients move from one clinical area to another. As new constructions/renovations projects occurred in clinical areas, or specific projects established to replace a nurse call system, Hill–Rom connectivity capable system was specified in the design/construction documents. Those nurse call systems that have been replaced since 2008–2010 have been replaced with Hill–Rom systems. Hill–Rom nurse call is the only system that can be integrated into the Hill–Rom server; other systems will have to be modified or additional equipment purchase at great expense in order to have operational connectivity.

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

CO performed research in Vet Biz, GSA E-Buy, SEWP, and FPDS for available vendors. CO posted a Sources Sought notice on FBO for seven (7) business days, which received three responses. CO subsequently requested further information from responders upon receipt of additional information from requestor. This resulted in only one responder; Hill –Rom being capable of meeting requirements of requestor.

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

IAW FAR 15.404-1(b) (2) (ii) CO will compare proposed price to historical prices paid whether by government or other than the government for similar items.

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

See section 6 above

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A.

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

[REDACTED]

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:** CO will conduct new market research to determine if any new or existing vendors present themselves with the ability to tie into 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.

[Redacted Signature]

13. **Approvals in accordance with the [VHAPM Part 806.3 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]

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.

[Redacted Signature]

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K