

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-AP-9916

1. Contracting Activity:

Department of Veterans Affairs, VISN 12, Clement J. Zablocki VA Medical Center
NCO 12 Construction Team
Purchase Request (2237) #695-18-1-6985-0006

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

This product, Jeron Nurse Call System, is required to be sole sourced for this project because it is the only product that allows for a single nurse call system to be used throughout the Milwaukee VA Medical Center. The Milwaukee VA medical Center currently has the Jeron System as the campus-wide nurse call system. The new nurse call system for the "Upgrade Nurse Call ICU & Head End Equipment" Project (695-18-121) will interface directly with the existing campus-wide Nurse Call System.

Installation of a system that interfaces properly with the existing system will ensure patient safety is maintained at the highest level. Additionally, installation of components that match the existing nurse call system minimizes maintenance costs and bench stock requirements.

<u>System / Equipment</u>	<u>Manufacturer and Model</u>	<u>GSA No.</u>
Nurse Call System	Jeron 790	

FAR13.5 Simplified Procedures for Certain Commercial Items:

This procurement is for Jeron 790 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:

The Jeron 790 Nurse Call System is required in order to integrate with the existing nurse call system. The estimated value of the sole source item (Jeron 790 Nurse Call System) for this project is \$215,896 (including the costs of the brand specific equipment).

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):

Only One Responsible Source (FAR 6.302-1) – Product integration with existing systems is mandatory to effectively operate throughout the hospital and within the medical imaging area. Different systems will not be compatible or functional if purchased as different brand products due to computer, programming, and other electronic integration issues.

This product, Jeron Nurse Call System, is the only product that allows for a single nurse call system to be used throughout the Milwaukee facility. VA Milwaukee currently has the Jeron System as the campus-wide nurse call system. The new nurse call system for the Upgrade Nurse Call ICU and Head End Equipment Project will interface directly with the existing campus-wide Nurse Call System.

The signal will be sent back to the existing Jeron Nurse Call System head end equipment in building 111. The backbone of the system has already been installed at great expense. Similar to the other proprietary items listed, the Nurse Call system will be a modification of the existing system and not a new system. An incompatible system will require installation of new head end and backbone components. Installation of a system that interfaces properly with the existing system in building 111 will ensure patient safety because communications will be seamless. Installation of components that match the existing nurse call system minimizes maintenance costs and bench stock requirements. No other system will integrate with our existing Nurse Call system. It is necessary to match existing system to ensure there are no interface problems with the addition of the remodeled Urgent Care and that system operation and maintenance is maintained to ensure patient and worker safety.

Accordingly, Jeron Nurse Call System is the only system capable of providing the supplies and services described in Section III above without the Veterans Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition.

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

The overall project will be solicited as an IFB (invitation for bid; sealed bidding). Therefore, offers will be solicited from as many potential sources as practicable under the circumstances outlined in the solicitation. For example, see set-aside requirements and NAICS code in the solicitation.

7. Determination by the CO 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:

VA has not been able to identify any other system that offers a seamless integration with our existing system. The Jeron Nurse Call System has full interface and compatibility with the existing campus-wide nurse call system.

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

This requirement is for certain pieces of equipment and systems in order to be compatible with existing hospital systems.

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:

Due to the requirement for interfacing directly with the existing campus-wide nurse call system, only one nurse call system can be used.

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.

Name: Linda Sue Schwarz
Title: Chief Engineer
Facility: Milwaukee VAMC

Date

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.

Name:
Title:
Facility:

Date

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

- 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.

Name:
Title:
Facility:

Date