

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA247-18-AP-4799 Hospital Beds, Tuskegee, AL

1. **Contracting Activity:** Department of Veterans Affairs, VISN 7, Central Alabama Veterans Health Care System (CAVHCS), Montgomery, AL – Alabama Commodities

2. **Nature and/or Description of the Action Being Processed:** This procurement action is for the purchase of 50 additional CAREASSIST Hospital beds for the Community Living Center (CLC) at CAVHCS. A onetime new firm fixed open market solicitation will be issued. CAVHCS previously purchased 50 beds in FY 2017 under Contract No. VA247-17-C-0187 to Fedco LLC [REDACTED]; due to budget limitations was unable to purchase the all the beds needed at that time. The CLC beds need to be replaced due to safety issues related to the height of the beds, and the malfunction of the mattress. The beds in the CLC need to be the same design and setup as the previous 50 beds that where order last fiscal year FY17 for the CLC. CARE ASSIST beds will increase continuity of care and provide fewer break downs and repairs

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement for 50 Care assist/hospital beds and the procedures in FAR Subpart 13.5 Simplified Procedures for Certain Commercial Items will be used in accordance with 41 U.S.C. 1901 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 modified

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The facility wants an additional 50 CARE ASSIST ES Bed Systems with various accessories to include nurse call, univ TV & lighting, accessory outlets, connectivity manufactured by Hill-Rom. Delivery is approximately 12 weeks/90 days after receipt of order. The price per bed is estimated at approximately [REDACTED] for a total estimated value of the proposed action is [REDACTED]

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

(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1; (BRAND NAME JUSTIFICATION)

(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) Brand Name Justification

- Having different types of beds in the CLC will cause a negative impact to the residents in the CLC. This would cause additional training and an increase in overtime cost to provide the training to all CLC nursing staff. In the CLC we provide long-term care to a diverse population that consists of primarily long-stay geriatric residents. Geriatric populations have chronic conditions (heart failure, stroke, diabetes mellitus, etc.) that increase the risk for skin breakdown and the need for additional precautions. In addition to excellent nursing care, one measure that we have found to be effective in preventing skin breakdown is placing the veteran in the correct bed type. The Hill-Rom P500 is a bed that offers a wide range of preventative components that assist us in the provision of long-term care for our complex population.
- Each resident in the CLC is assessed using the Braden Skin assessment tool according to the pressure ulcer CLC policy. The tool addresses sensory perception, moisture, level of activity, mobility, nutrition, and potential for friction. Any resident with a score of 18 or less must have special prevention measures in place to assist with maintaining and improving skin integrity. One of these measures is pressure re-distribution measures. Using the Hill-Rom P500 bed allows us to provide our residents the correct pressure re-distribution measures and ensure that the bed is not a source of creating pressure areas. We are currently using this bed and discovered that several of our residents with altered skin integrity could completely heal and others at risk did not develop any pressure areas related to the bed. The beds are equipped with scales that are used to provide accurate weight assessment. The beds also provide a low air-loss mechanism that is essential for long-stay residents in preventing pressure ulcers. The beds are user friendly for our elderly population and are offer multiple options for bed mobility and repositioning. Because the average length of stay in our facility is 200+ days, having a bed that will accommodate long-stay residents is essential to providing quality care. The Hill-Rom P500 has been used in our environment and is appropriate for our resident
- If a bed is ordered from a different manufacturer than was purchased last year in July FY 2017 with different options than the 50 beds that are already located in the CLC will cause a learning curve for staff to be trained. This will cause staff confusion between the

two different beds in the CLC. Receiving the same Hill Rom beds will eliminate all these barriers for staff and residents, and insure that the right beds are ordered with the exact specification as the preexisting 50 beds in the CLC.

- Hill Rom has provided beds, mattresses, advanced patient care products and accessories to the GEC&R Service Line for the comfort, healing and wound care management of our CLC patients. The design and ability of Hill Rom's products, i.e. low air mattresses, alternating pressure Mattresses, patient safety equipment, infection control management and wound care management are ultimate features necessary for comfort and healing of the patients. Patients currently occupy these beds, mattresses and use the advanced care products and accessories. Staff has had extensive training and very knowledgeable on the product features and functions.
- Research conducted revealed several other companies who provide similar products; however, other vendors could not provide comparable products in the styles, quantities, sizes and quality for the level of care, comfort and healing for the veteran patients. Also, Hill Rom is the only company that has the Dolphin mattresses; that capability is needed for that mode of therapy for some of the patients. The probability of moving patients into other beds that may not provide the level of healing capabilities that the Hill Rom beds provide and may pose an increased risk to their recuperation time
- Bed Features: Integrated PB500 Low Air Microclimate Technology Therapy Surface – No mattress pump required. Weight base pressure re-distribution - Therapeutic up to 500 lbs. Turn assist. Built in x-ray cassette sleeve. Low chair Position – allows the bed to be put into chair position while maintaining low height of bed – 13” from center of bed deck. Advanced 3 Mode Bed Exit Alarm. Bed Exit Alarm Silence Function – Allows the alarm to automatically reset when the patient returns to the bed. Automatic Battery Backup – When the bed is unplugged or loss of power the battery backup will automatically come in allowing for standard bed operation. Flexafoot retractable foot section – foot section can be extended and retracted up to 11” with a push of a button. Hands Free Controls – Foot pedals activate high/low and head up/down functions so your hands are free. In bed scale displays pounds and kilograms. Boost button - One button feature that allows for easy patient repositioning to the head of bed. Liberty Hill Solid Wood Headboard and footboard for the CLC beds. Nurse Call, TV and Lighting function with ability to send data to Nurse Call, EMR or other applications.

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

Three vendors, two were Service Disabled Veteran Owned Small Business and one Veteran Owned Small Business submitted offers in response to the previous solicitation for the 50 CARE ASSIST beds. No or equals were offered. Therefore, there appears to be multiple vendors who can be responsive to the solicitation. The requirement will be posted on the www.fbo.gov website.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The government will rely on the contractor's assurance that the commercial items tendered conform to the contract requirements. The anticipated cost will be considered fair and reasonable based comparison to the independent government estimate, previous prices paid, vendor's pricing and comparison to the similar type items from other manufacturers. Certified cost and pricing data is not applicable due to the anticipated contract amount does not meet the threshold.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted and the required beds are not under any Federal Supply Schedule. The Vendor Information Page (www.vetibz.gov) was inquired. The previous requirement was solicited open market. Based upon previous the previous procurement, there are Service Disabled Veteran Owned Small Business/Veteran Owned Small Business who can submit offers for the required item at a fair and reasonable price. Therefore, the, the Class Deviation – Implementation of the Veterans First Contracting Program because of the U.S. Supreme Court Decision (Class Deviation – Veterans First Contracting Program can be met.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
In summary, the CLC needs standardization for the patient safety. Standardized beds will limit additional staff training and enhance patient care by ensuring staff familiarly with bed functions and features.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Hill Ron has provided a quote for the requested items but since the firm is a large business and the "Rule of Two"; Hill-Ron can not be solicited directly. There are distributors for the company who are Service Disabled Veteran Owned Small Business /Veteran Owned Small Business. The vendors who responded to the previous spoliation will be notified when the solicitation is posted on www.fbo.gov.

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:**

The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed. When making future procurements, will try to procure funding for all needed items in the same procurement or consider options for additional quantities later; however, budget limitation does not always make this possible. The various functions, features, warranties, maintenance and any other associated costs will be taken into consideration for acquisitions.

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

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.

CELISO BACKES
Celso L. Backes Jr. 655567
Digitally signed by CELSO BACKES 655567
Date: 2018.03.21 09:39:31 -05'00'

SIGNATURE _____ DATE _____
Celso L. Backes Jr. Admin. Officer GER&R
NAME TITLE SERVICE LINE/SECTION
CAVHCS
FACILITY

13. Any questions contact the Contracting Specialist assigned this action: Margaret J. Yeaton
334-725-2871. Margaret.Yeaton@va.gov.

MARGARET J YEATON 1549339
Digitally signed by MARGARET J YEATON 1549339
Date: 2018.03.21 09:42:18 -05'00'

14. **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.

Benford C.
Brundage 239378
Digitally signed by Benford C. Brundage 239378
Date: 2018.03.21 10:17:44 -05'00'

BENFORD C. BRUNDAGE
Contracting Officer
Alabama Commodities Team
VISN 7
Network Contracting Officer 7

b. **One Level Above the Contracting Officer (Required)** [redacted] not exceeding [redacted] certify the justification meets requirements for other than full and open competition.

James E. Boles
585564
Digitally signed by James E. Boles 585564
Date: 2018.03.21 13:41:04 -04'00'

JAMES E. BOLES JR.
Contracting Officer,
Alabama Commodities Team Chief
VISN 7
Network Contracting Officer 7

Date _____