

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)

Acquisition Plan Action ID: VA244-18-AP-4502

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Lebanon VA Medical Center, 1700 South Lincoln Ave, Lebanon, PA 17042; Funding is provided through Delivery Orders off the base Indefinite Delivery Indefinite Quantity (IDIQ) contract.

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

The Lebanon VA Medical Center is requesting a Firm Fixed Price, Brand Name (Midmark), 5 Year Indefinite Delivery Indefinite Quantity Contract. This contract will supply the Lebanon VA Medical Center and surrounding clinics with exam tables which are compatible with existing tables, parts, and accessories needed for life cycle change outs, expanding clinics, repairs, and activations.

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for a new 5-year IDIQ Firm Fixed Price Contract 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:**

- Estimated Value: \$1,300,000.00 IDIQ ceiling.
- POP: 5 Years from date of contract award.
- Orders will be requested by Delivery Orders and shall be coordinated with the COR.

Model and Description of Exam Tables
MI-626-003; Midmark 626 Barrier-Free® Examination Chair w/ Clean Assist™ Roller System,} IQscale, receptacles, drawer heater, pelvic tilt, wireless controls, w/o top
MI-002-2000-XXX; 626 Premium Upholstery Top - 28" wide premium XXX = Color of Upholstery
MI-002-2002-XXX; 626 Premium Upholstery Top - 32" wide premium XXX = Color of Upholstery
MI-9A600001; Patient Support Rails, rails only, pair, field installed
MI-9A600002; Patient Support Rails Plus, rails only, pair, field installed
MI-9A582001; Patient Support Rail Receiver Extensions - pair, field installed, for 32" wide upholstery
Installation

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; BRAND NAME ONLY

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):**

Midmark is an established brand with proven performance and quality used throughout the Lebanon VA Medical Center and surrounding Clinics. The VA Medical Center maintains a working inventory of approximately 200 Midmark Exam tables with an estimated replacement value of \$1,685,969.88. An alternate brand of table would be cost prohibitive due to the value and requirements of the existing functional inventory and established design configuration.

Unique features identified to efficiently and effectively serve patients while maintaining the standard of care provided:

- Providers have the potential to work at multiple facilities at varying times and it is essential to maintain the standard of care to patients. Maintaining continuity of medical equipment at all LVAMC facilities promotes a safe and functional environment and is a requirement of the medical center management. Continuity enforces efficiency in processes and minimizes the need for equipment re-familiarization no matter which facility or examination room location.
- Midmark Exam Tables are the only tables which are adjustable and have the widest range which lowers to an uncompressed 15.5" or compressed 14.6" to a max raised height of 37". Historical use has proven that an adjustable table with the lowest height has accommodated multiple sizes and types of mobility devices, varying sizes of patients, flexibilities, and disabilities. The widest range possible has ensured medical staff the ability to position the patient at the correct height or position required for a medical professional of varying size and flexibilities to treat the patient efficiently and effectively. For example, doing Blood Pressure Monitoring this function will place the patient in the correct position which allows for varying sized patients to sit comfortably with their feet on the ground which maintains an environment for accurate results thus reducing the opportunity for misdiagnosis due to improper positioning. The adjustable range limits the amount of bending over or reaching required by the medical staff when treating patients and maintaining a comfortable ergonomic environment. The Midmark table Lowers approximately 20% further than the average table (18.5") on the market and has the widest range compared to the average minimum and maximum range by

approximately 16%. This provides the fullest accessibility for the patients and maintains the required standard of care established at the medical facilities.

- The Midmark exam tables have wide top interchangeable options and a built-in scale with a weight capacity of 650 lbs., which has been identified as necessary requirements to efficiently and effectively serve patients while maintaining the standard of care provided at each facility. The standard and wide top provides a simple tool less interchangeable option for varying sized patients which increases comfort and patient stability during the exam. This simplicity and interchangeability allows the medical center to change and adapt the exam room table to its daily needs. The built-in scale is an effective and accurate alternative method to weigh elderly, wheelchair/scooter bound, bariatric, or limited flexibility patients who cannot access (elevated by ramp, step, etc.) traditional scales safely or comfortably by lifting and weighing them unassisted while seated on the table.
- The Midmark exam tables have a wireless controls and remote option which will maintain an efficient and functional environment for patients and employees in emergencies when the provider needed to initiate adjustments to the exam table's position while simultaneously reacting by triggering an alert or staff which was located away from the exam table or outside the office. The wireless remotes and controls have supported respectful bedside manor by allowing the provider to discretely record data and provide adequate adjustments without being too close to the patient. The wireless remotes and controls eliminate the hazard created by having equipment and wires/cords on the ground, hanging from the table, or in the environment.
- The Midmark exam tables offer a retractable swivel roller base which allows the medical facility to safely place the exam table in a location and retract the wheels to ensure no movement. The swivel rollers also allow for easy movement in any direction for cleaning or transport. The retractable swivel roller base makes moving the exam table more efficient and effective which maintains cleaning of hard to reach or access areas.
- The Midmark exam tables offer Premium Standard Upholstery and colors which is consistent with the facilities Interior Decorator's established design configuration. The upholstery and seamless application have proven to be durable and reliable to the medical facilities daily use through years of use.

Accordingly, Midmark Corporation is the only manufacturer capable of providing the brand of equipment currently being used at the facilities, required by the medical facility as described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition or lowering its established standard of care.

Further delays in the acquisition process will impair/delay the timely delivery of essential equipment which will directly impact healthcare delivery capabilities and mission performance. The equipment requested is considered the minimum necessary to achieve the requirement.

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

The manufacturer has several SDVOSB authorized distributors available for competition.

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

Per the manufacturer they have several SDVOSB vendors authorized to provide competition for the Midmark exam tables.

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

As described in Section 6 above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties.

FPDS Search; GSA Search by model number and description; provided historical contract information; collect informal quotes; identified SDVOSB distributors; NAC Searches; verified SAM Registration of manufacturer; VIP searches by distributor, description, and NAICS codes.

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:

Midmark Corporation; Other Than Small Business; 60 Vista Drive Versailles, OH, 45380-9310; POC: Mike Luke, mluke@midmark.com, PH: 800-643-6275x8224 or 800-Midmark; DUNS: 005036025; V797P-4435B

Dealer/Distributors:

3-Vets Inc.; SDVOSB; 1907 E. Hillsborough Ave Suite 101 Tampa, FL 33610-1518; POC: Reggie Tim, E-Mail: Vetinds@aol.com, PH: 813-237-8387; DUNS: 074208930; GS-02F-0128P

1st American Medical Distributors; SDVOSB; 151 Heritage Park Drive Suite 201, Murfreesboro, TN 37129-1204; POC: Stanley Palczewski, stan@1st-amd.com, PH: 615-904-1263; DUNS: 802239751; V797P-4109b

TSPS dba Tagg Industries; SDVOSB; 23210 Del Lago Laguna Hills, CA 92653; POC: Derek Shirley, contracts@taggmed.com, PH: 740-521-9475; DUNS: 180526493; V797D-50508

Medical Place Inc.; VOSB; 350 Industrial Park Blvd. Montgomery, AL 36117; E-Mail: aseawright@medicalplace.net or sstrickland@medicalplace.net, PH: 334-241-0807; DUNS: 112651336; V797P-2002D

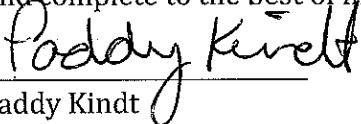
Bayside Medical Supply Company Inc.; SDVOSB; 3924 W. Palmetto Street, Tampa, FL 33607-2448; E-Mail: baysidemedicalsci@gmail.com, PH: 813-879-2731; DUNS: 883429409; V797D-50499

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:

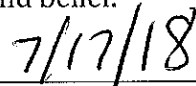
Midmark Corporation is the only manufacturer capable of providing the same brand manufactured exam tables that are utilized at the Medical Center and its surrounding facilities. If alternate manufacturer's models are selected the Medical Center and its facilities would require that the equivalent of the same brand be procured for the existing exam tables resulting in a substantial duplication of cost and or lowering its standard of care.

A brand name effort is required for multiple years in the form of an IDIQ contract to create efficiencies such as eliminating redundant contracts, contracting working hours on redundant contracts, cost savings due to scale and reduced working hours, and customer ease of use ultimately maximizing the quality, safety, and value of patient care provided by the medical centers as desired by VHA Directive 1026 VHA Enterprise Framework for Quality, Safety and Value.

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.



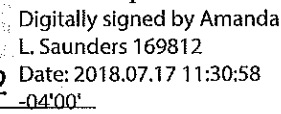
Paddy Kindt
COR/ CBOC Business Manager
Lebanon VA Medical Center



Date

13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:

a. **Contracting Officer or Designee's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Amanda L. 
Saunders 169812

Amanda Saunders
Contracting Officer
NCO 4 Pittsburgh/Heinz

7/17/18

Date

- b. **One Level Above the Contracting Officer:** I certify the justification meets requirements for other than full and open competition.

Dianne E. Smith
Division Chief, NCO4

Date

- c. **Director of Contracting:** I certify the justification meets requirements for other than full and open competition.

Benjamin P. Iachini
Director of Contracting, NCO4

7/18/2018

Date

- d. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

Brent Goe
Acting Executive Director, SAO East

Date