

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

521-12-3-292-0002

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO 7), 700 S. 19<sup>th</sup> Street, Birmingham, AL 35233. This is a NCO 7 procurement. Justification for Other Than Full and Open Competition. The solicitation number associated with this procurement is VA 247-12-I-0911.
2. **Nature and/or Description of the Action Being Processed:** Contract to be awarded for single-time purchase of pre-determined package of equipment to support the mission of the Dual-Use Vehicles for transportation and potential interfacility transfer of patients during an event of national significance. A standard purchase list was provided by the VISN to maintain consistency of equipment, as well as transferability between stations with equipment and personnel. Maintenance of competencies for providers between stations was also taken into consideration with this purchase.

(1) Equipment to be purchased is for transportation of critically ill patients who need medical support during such an event as evacuation of the medical center. Because of the nature of events to be supported, equipment needs to be standardized between all the medical centers that received Dual-Use Vehicles, to ensure staff familiarity and established competencies on this equipment before an emergency event. As patients will be transferred with staff that may be from other VA medical centers, and non-durable supplies to support this equipment may be required at other stations to continue the mission of patient support, consistency is important to decrease the chance of adverse patient outcome.

(2) This document is a Justification and Approval.

(3) The following is a list of equipment and supplies being requested under this purchase:

- 4 (four) EMV Ventilators, item 6515-01-586-5898
- 20 (twenty) Ventilators, item 800-AEV1-00
- 24 (twenty-four) portable aspirators, item 6515-01-531-6051
- 24 (twenty-four) C-Claw with IV pole, item 800-0904-01
- 6 (six) SMEED Critical Care Platforms, item 800-0903-01

(4) The contractor is: Impact Instrumentation, Inc., 27 Fairfield Pl, West Caldwell, NJ, 07006; the contract is for a single-time purchase of equipment, valued at \$248,457.12. Request award of the contract by 30 Sept 2012.

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

- 4 (four) EMV Ventilators, item 6515-01-586-5898, \$11,962.31 ea
- 20 (twenty) Ventilators, item 800-AEV1-00, \$6,874.37 ea
- 24 (twenty-four) portable aspirators, item 6515-01-531-6051, \$1,658.79 ea
- 24 (twenty-four) C-Claw with IV pole, item 800-0904-01, \$312.06 ea

6 (six) SMEED Critical Care Platforms, item 800-0903-01, \$2,636.68 ea

Total acquisition: \$248,457.12

**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):**

This identical package of ventilator and support equipment is a highly specialized package being purchased by every station in VISN 7 that has received Dual-Use Vehicles (DUVs). Because the intention is to have this equipment used to transport patients between facilities, with personnel who may or may not be from the sending or receiving facility, it is imperative that this equipment be identical and not equivalent. Equivalent equipment, while serving the same function will require different competencies and training and not all staff deployed during an emergency will be familiar with different equipment. It will also affect the disposable equipment purchased to support the use and function of the ventilator equipment, as equivalent equipment will require a different support structure from the other equipment held at other stations. By holding identical equipment we will be able to better meet any emergency needs for use of this equipment by having all staff trained and competent on the use of the equipment, and non-durable support structure and fixtures will be found at all stations holding this equipment. Equivalent equipment will greatly increase the chances of substantial duplication of cost to hold multiple sets of equipment. Also, equipment that is not directly compatible is likely to adversely affect patient care and patient outcomes during an emergency if patients are transported to other locations where transportation times may be extended to reach a destination. This equipment should be directly compatible with all of the equipment being purchased throughout VISN 7 as part of this initiative for patient care under emergency response and transportation. We currently do not have any structure in place to handle the transfer of patients, let alone with this planned level of sophistication. Coordination and interfacing with the system being put in place at other facilities as other parts of this same program need to be directly interchangeable to ensure quality patient care. If another station does not have non-durable/disposable parts for replacement, this equipment could effectively end up out of service and unusable, extending or eliminating our ability to respond during emergencies, which defeats the purpose of having this equipment. With all stations holding the same equipment, it becomes much easier to put this equipment back into service quickly during an emergency, with much less down time and interruption under time-critical situations.

Impact Instrumentation Inc. is the manufacturer of the Uni-Vent EMV+ Ventilator, the AEV Ventilator, the CCLAW Mounting System and the Smeed Mounting System is the only provider of this product. Company's

letter attesting to this information is attached.

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

This is a one-time purchase of this requirement. A standard purchase list was provided by the VISN to maintain consistency of equipment, as well as transferability between stations with equipment and personnel. Maintenance of competencies for providers between stations was also taken into consideration with this purchase. This company "Impact Instrumentation Inc," was identified as the vendor required to provide the items for this requirement.

Intent to Sole Source notice was posted on FBO 8 August 2012 under Solicitation number VA247-12-I-0911. No vendors indicated an interest in this requirement.

The EMV Ventilator and Portable Ventilator system and support equipment are available from the manufacturer directly, Impact Instrumentation Inc., DUNS: 087075586, TIN: 22-2517938, CAGE 63346. Impact Instrumentation, Inc., is located at 27 Fairfield Pl, West Caldwell, NJ, 07006, (973) 882-1212, Fax: (973) 882-4993. The point of contact for government sales is Anthony Altamore, govsales@impactii.com.

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

Pricing has been determined Fair and Reasonable based on the recent purchases made of these items by other VA within's the VISN. The VA at Columbia South Carolina purchased this same type requirement in the last month under contract #VA247-12-C-0145 with the same line item pricing as follows:

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

This purchase was submitted according to the pre-determined standardized purchase list developed by VISN level staff, to ensure all of the facilities purchasing this equipment maintained consistency. This effort was to ensure transferability between stations, uniform training and competencies of staff who will be using the equipment, and to ensure the non-durable materials needed to support the function of this equipment were standardized across the VISN. When this equipment is used in an emergency setting, patients may be going to other VA facilities or staff from alternate locations may be caring for patients with this equipment, and it is imperative that staff be familiar with this equipment. By having the same equipment at each station, we

can insure that staff is trained and competencies are consistent to maintain consistent expectation of patient care. This company "Impact Instrumentation Inc," was identified as the vendor required to provide the items for this requirement.

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

A standard purchase list was provided by the VISN to maintain consistency of equipment, as well as transferability between stations with equipment and personnel. Maintenance of competencies for providers between stations was also taken into consideration with this purchase. This company "Impact Instrumentation Inc," was identified as the vendor required to provide the items for this requirement.

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

See paragraph 6 above.

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:**

This is a onetime purchase of this requirement. Therefore, no actions to remove barriers for future competition are planned.

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.

*es// David Allan Dykeman, EMC*

Name David A. Dykeman

Title Emergency Management Coordinator

Facility Birmingham VA Medial Center (521)

August 14, 2012

Date

13. Approvals in accordance with FAR 6.304

- a. Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



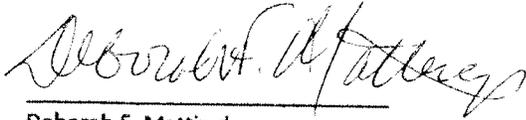
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Angela M. Jordan  
Supervisory Contract Specialist  
Tuscaloosa VAMC

11 August 2012

\_\_\_\_\_  
Date

- b. NCM/PCM (Required \$3K and above): I certify the justification meets requirements for other than full and open competition.

cc



\_\_\_\_\_  
Deborah F. Mattingly  
Network Contract Manager  
NCO 7

8/16/12

\_\_\_\_\_  
Date