

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval (J&A) For Other Than Full and Open Competition (>\$250K)

Acquisition Plan Action ID: 36C261-19-AP-4020/ 593-19-3-136-0171

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, Southern Nevada Medical Center
2. **Nature and/or Description of the Action Being Processed:** Approval is needed to purchase the Nurse Call System on an sole source basis. The Nurse Call System is also known as call bell or call light systems. They are the communication link between residents or patients and caregivers.  
**FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for an Upgraded 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 Nurse Call System is the primary life and safety system used in all medical facilities. An upgraded Nurse Call System is needed to replace obsolete equipment and switches. The system includes high level programming, providing and installing 900 RCB and RCB Enclosures throughout the medical center and CLC locations. This is a proprietary system created by Hill-Rom, Inc. Only Hill-Rom employees are allowed to work on this system. The upgrade is estimated to take about three months to complete and is a bona-fide need of FY19. There is no construction associated with the requirement, the upgrade is replacing current item already located within the facility. The service portion is \$1,102,448.00, the supply portion is \$512,257.00.
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 is a proprietary system created by Hill-Rom, Inc. Only Hill-Rom employees are allowed to work on this system. The technicians are trained and certified by Hill-Rom and all programming will be accomplished by high level programmers. Since this is replacing portions of the system, ONLY Hill Rom items me be used as they must match the current Hil Rom system already installed. Items being purchased, and programming operations must also match with the newly purchased CISCO switches (Name Brand and model

purchased per Hill Rom's specified requirements). Only Hill Rom items and certified installation and programming personnel may be used as to not void the current Service Maintenance Agreement in place.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** There are SDVOSBs on NASA SEWP/GSA that are authorized to provide quotations and receive awards for Hill-Rom services and equipment however, they won't be able to meet the limitations on subcontracting rule because all of the services will be subcontracted to Hill -Rom.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The price is anticipated to be fair and reasonable. The price being charged is much less than removing and replacing the whole system throughout the hospital and CLCs with a different vendor's product. Historical pricing can be reviewed in FPDS.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The only market research conducted was contacting the manufacturer to determine our purchasing options. The results were, if we needed the upgrade, the only company that could accomplish the upgrade was Hill-Rom.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** NA
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Hill Rom has expressed an interest in completing this for the VASNHS.
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:** Switches HAD to be purchased as a separate item as Hill Rom is not authorized by CISCO to sell the VA these items on a refresh type operation. Hill Rom is only allowed to sell the VA new CISCO switches as a completely new 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.

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Steven C Smith  
Electronics Supervisor

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.

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Don Neal, Contracting Officer  
Chief Supply Branch 1, Network Contracting Office (NCO) 21Facility

- b. **One Level Above the Contracting Officer (Required over \$250K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

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Brooke C. Robison  
Director of Contracting, Network Contracting Office (NCO) 21

- c. **VHA RPO 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.

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Curtis M. Jordan  
Executive Director, Regional Procurement Office (RPO) West  
VHA Head of Contracting Activity (HCA)