

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36C261-19-AP-2373 (Medical Equipment)

1. **Contracting Activity:** Department of Veterans Affairs (VA), Veterans Integrated Service Network (VISN) 21, Reno Medical Center, VA Sierra Nevada Healthcare System, Network Contracting Office (NCO) 21, Funding document 654-19-2-056-0013.
2. **Nature and/or Description of the Action Being Processed:** This requirement calls for the delivery and installation of 73 Guldmann patient lifts in the Community Living Center (CLC) and Inpatient Care (B-4) Areas. Installation includes all testing and certification per project specifications and drawings. This action will result in a new firm-fixed-priced contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
The VA Reno Medical Center requires patient lifts in the CLC and Inpatient Care Areas. This project specifically requires not only all materials and associated parts for the lifts, but also the installation to ensure final delivery and acceptance meets each room's specific lift requirements. Installation is to be coordinated with VA engineering staff to ensure no more than four patient rooms are out of commission at any given time. Patient lift support structures and connections are to be certified by a licensed structural engineer. The period of performance for installation is not to exceed 180 days after the notice-to-proceed is issued by the Contracting Officer. The anticipated value is approximately \$1,400,000.00. The patient lifts will consist of the following components:

| Quantity | Item | Description |
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| 68 | Ea | 770lb GH3+ Lifts Without Bathroom Access |
| 1 | Ea | 770lb GH3+ PT Room |
| 2 | Ea | 770lb GH3+ Shower Transfer, Single Rail |
| 2 | Ea | 770lb GH3+ Lifts with Bathroom Access |

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):** Guldmann patient lifts and installation services were recently procured for Reno VA's Intensive Care Unit (ICU) and awarded

under contract 36C26119P0916. The need for standardizing patient lifts throughout the facility is to reduce risk and will enhance patient safety. Having non-standard patient lift systems throughout the medical facility could cause user error in operating the lifts and could lead to patient injury. The medical staff have clearly indicated patient safety is paramount and being familiar with the single Guldmann system will mitigate usage errors and provide for an overall safer environment when the lifts are in use. Also, Guldmann patient lifts have the capability that allows medical staff to lock the ceiling lift in a fixed location, which was a medical staff requirement in the previous procurement (36C26119P0916). For these reasons, the VA has determined the only responsible source for the patient lifts is to be procured from Guldmann Inc. Patient lifts are highly specialized medical equipment, user error could result in serious injury or death to the patient, and their safety cannot be jeopardized by having multiple lift systems in operation. Accordingly, Guldmann Inc. is the only firm capable of providing the patient lifts and installation services described above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition. But most importantly, one cannot put a 'cost' on the value of patient safety.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This action is to fulfill an immediate need for patient lifts and to ensure medical staff are trained and proficient in the use of Guldmann patient lifts throughout the medical facility. The VA did not solicit this requirement as it was determined not to be in the best interest of patient safety, and the previous patient lifts award, 36C26119P0916, was the result of a competitive procurement.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The VA has recent procurement information for the same GH3 patient lift systems as awarded under contract 36C2611P0916. This information will provide a historical perspective to aid in determining price reasonableness. It is anticipated, the comparison of prices from that contract, will be useful and aid the Contracting Officer to determine price reasonableness for this procurement as stated in FAR 15.404-1(b)(2)(ii).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted for this requirement. As stated above in paragraph 5, the VA determined Guldmann Inc. to be the only firm capable to satisfy the VA needs, with patient safety being the over-riding concern. Having a single patient lift system throughout the medical facility will mitigate risk of patient or staff injury.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** No other factors are applicable at this time.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Guldmann Inc. has conducted a site visit for this project and has expressed an interest in this acquisition. Follow-on requirements will be competed to the maximum extent practicable for future procurements.
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:** No action is anticipated to remove or overcome barriers to competition for future patient lift requirements for the Reno VA medical facility. Patient and staff safety are paramount, having only Guldmann lifts throughout the medical facility is in the VA's best interest.

- 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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| _____ David L. Rodriguez Chief, Biomed Engineering Facility Management Service (FMS), VASNHCS | 9/10/2019 _____ Date |
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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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| _____ Dennis Becker Branch Chief, Team I NCO 21, Construction | _____ Date |
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- b. **One Level Above the Contracting Officer (Required over SAT but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

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| _____ Brooke C. Robinson Director of Contracting Network Contracting Office 21 (NCO 21) | 10 SEP 19 _____ Date |
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- c. **VHA RPO-W 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 West Head of Contracting Activity (HCA) | _____ Date |
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