

**DEPARTMENT OF VETERANS AFFAIRS**

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

**Acquisition Plan Action ID:** 36C255-19-AP-2447

1. **Contracting Activity:** Department of Veterans Affairs, VISN 15, Eastern Kansas Health Care System.  
Topeka VAMC 2200, Gage Blvd., Topeka, KS 66622  
Leavenworth VAMC, 4101 S. 4<sup>th</sup> Street, Leavenworth, KS 66048  
589-19-4-7622-0099

2. **Nature and/or Description of the Action Being Processed:** This sole-source acquisition for the brand name Rauland is for the expansion of the Rauland Responder V Nurse Call system at the Topeka and Leavenworth VA Medical centers. This contract will be Firm-Fixed price (FFP) with a Period of Performance of six months (anticipated: September 30, 2019 – March 29, 2020) with an estimated value of \$1,148,567.63. This expansion is for Buildings 1, 2, 4, 6, 20 and 21 at the Topeka VA Medical Center and Buildings 89, 90, 91 and 122 at the Leavenworth VA Medical Center. At the time of the original contract, areas in these buildings were not included in the initial installation. Maintenance will be provided via another contract.

**FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for expansion of the Rauland Responder V Nurse Call system at the Topeka and Leavenworth VA Medical centers 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:** This requirement is a "Brand Specific" need for installation of customized nurse call buttons and pull cords in areas that are required by code, but were not originally outfitted during the installation in 2014. Total cost is estimated at \$1,148,567.63. The delivery of equipment and installation will have a Period of Performance of six months. The anticipated Period of Performance is September 30, 2019 through March 29, 2020. This expansion is for Buildings 1, 2, 4, 6, 20 and 21 at the Topeka VA Medical Center and Buildings 89, 90, 91 and 122 at the Leavenworth VA Medical Center. At the time of the original contract, areas in these buildings were not included in the initial installation.

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;

**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). Service/maintenance of the listed equipment by any other entity would render the equipment no longer operational within original equipment manufacturer specifications. This is a proprietary requirement. In an effort to ensure proper patient care and treatment, it is within the best interest of the Government to ensure this medical equipment is maintained to meet all original equipment manufacturer (OEM) specifications.

This will be new work on this highly specialized, major system. All Systems originally installed the Rauland Responder V Nurse Call system in 2014. This was accomplished with contract VA255-14-C-0187 with a total value of \$241,468.24. This contract is to provide the installation of areas that did not require a nurse call system at that time. A solicitation will be issued for a vendor that serves the Leavenworth and Topeka areas and is certified to sell, install and program the Rauland-Borg 5 nurse call system. Because it is a proprietary system, the manufacturer requires only certified technicians to work on the systems.

Using a brand other than Rauland, would require the existing system to be demolished and replaced with a new system. By continuing to utilize Rauland, the existing system can have additions and improvements made. The cost would be prohibitive to use a brand other than Rauland.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** IAW Veterans First Program, 38 U.S.C. 8127, Rule of Two, market research was conducted using VIP, FPDS, DSBS, National Strategic Source Listing and GSA. A search was performed of Vendor Information Pages (VIP) for VOSBs (including SDVOSBs) using key word Rauland. No vendors were found. A search was performed of Vendor Information Pages (VIP) for VOSBs (including SDVOSBs) using key words "nurse call" and NAICS code 334290. One SDVOSB vendor was found, Standard Communications Inc. On August 29, 2019, the Contracting Officer (CO) called Standard Communications and verified that they were an authorized distributor and service the Topeka/Leavenworth area. Further research found they had installed nurse call systems in the past under NCO 15 contracts. Standard Communications also communicated that they have a working relationship with All Systems, the vendor that provided the original installation. In addition to VIP queries, the following market research was performed.

- 7.
- A search was performed of FPDS with results showing many sizes of businesses that provide nurse call systems.
  - A search of DSBS was performed using key words "nurse call" and NAICS code 334290. No results were found.
  - A search of the National Strategic Source Listing was performed using key words "nurse call." No results were found.

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- A search of GSA using key words “nurse call” was performed. Three vendors were found. The CO searched each of the vendors catalogs for “Rauland” and there were no results. If, at a future date, the existing Rauland system is no longer functional (i.e. outdated) or cost prohibitive to maintain and repair, market research will be performed to determine potential sources for replacement.

8. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** To ensure that the anticipated cost can be considered fair and reasonable, The Contracting Officer (CO) compared current pricing against the IGCE and historical data from previous contracts. The IGCE (at \$1,148,567.63) was formulated using historical costs and current price lists. The below contracts were researched and found to be of similar scope:

VA255-14-C-0187 \$2,451,468.24  
VA255-17-C-0255 \$1,464,113.88  
VA255-16-C-0228 \$1,704,859.00

Certified cost and pricing data is not required under this requirement as the items being procured will be under a Firm-Fixed Price (FFP) contract and there is historical data available to determine a fair and reasonable pricing. Cost to the Government, therefore, has been determined to be fair and reasonable based on a comparison of prices paid to historical contract prices and the IGCE.

9. **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 other than Rauland products. The cost would be prohibitive to use another product. Using another product would entail removing and replacing the entire system. This effort is for adding on to the existing proprietary system. Market Research was conducted of vendors that are authorized vendors of Rauland products. Two vendors were found. The vendor for the existing system is All Systems (a Small Business). Using a search of VIP another vendor was identified, Standard Communications Inc. On August 29, 2019, the Contracting Officer (CO) called Standard Communications and verified that they were an authorized distributor and service the Topeka/Leavenworth area. Further research found they had installed nurse call systems in the past under NCO 15 contracts. Standard Communications also communicated that they have a working relationship with All Systems, the vendor that provided the original installation. The two vendors identified follow:

All Systems, 2630 Business Dr., Cumming, GA 30040-4878  
Standard Communications, 5402 Leeds Manor Rd., Hume, VA 22639-1758

Based on an analysis of the market research, the contracting officer does not have a reasonable expectation that two or more service-disabled veteran owned small businesses or veteran owned small businesses will submit offers and that the award can be made at a fair and reasonable price that offers best value to the United States. Pursuant to VAAR 819.7007, the acquisition will be a sole source award, limited to brand name Rauland, to a verified service-disabled Veteran-owned small business, Standard Communications, Inc.

**Any Other Facts Supporting the Use of Other than Full and Open Competition:** This is a major system that is critical to the healthcare delivery capabilities of the facility. It would not be cost effective for the Government to acquire another brand to replace the current brand. The equipment

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needs to be compatible with what has been purchased and installed for the current system. Because the current system can only be configured using proprietary equipment, it would cost the Government an excessive amount to replace the entire system with another brand.

- 10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Because the current system can only be configured using proprietary equipment and the cost of replacing the current system, no other brands were considered.

This is a major system that is critical to the healthcare delivery capabilities of the facility. It would not be cost effective for the Government to acquire another brand to replace the current brand. The equipment needs to be compatible with what has been purchased and installed for the current system.

- 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:** When the nurse call system use has expired, and a new system is required, the effort will be solicited for offerors who can provide this system in accordance with the requirements.

- 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.

**Robert C Hamilton**  
**645027**

Robert Hamilton  
Chief Biomedical Engineer  
Eastern Kansas

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Hamilton 645027  
Date: 2019.09.24 08:42:46 -05'00'

- 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.

Denise L.  
Maynard 1632616

Denise Maynard  
Contracting Officer  
Network Contracting Office (NCO) 15

Digitally signed by Denise L.  
Maynard 1632616  
Date: 2019.09.23 15:09:34 -05'00'

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.

SCOTT R FISCUS 381888

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Date: 2019.09.24 07:55:10 -05'00'

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Scott Fiscus  
Director of Contracting  
Network Contracting Office (NCO) 15

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Date

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- c. **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.

TERRY L.  
SPITZMILLER  
394683



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L. SPITZMILLER 394683  
Date: 2019.09.24 10:36:20  
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Terry Spitzmiller

09/24/2019

Date

Terry L. Spitzmiller  
Executive Director, RPO Central (HCA)