

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network Contract Office 22 as requested by VA Long Beach Healthcare System, to add open market items to an FSS BPA VA262-13-A-0078 for its initial delivery orders.
2. **Nature and/or Description of the Action Being Processed:** The modification shall add items as listed in section 3 to VA262-13-A-0078 under FAR 8.402(f) procedures to ensure the delivery a fully functional system with a warranty from Philips Electronic North America. This will affect the first delivery orders for the VA Long Beach Healthcare System and shall be available to other facilities for future procurements.
3. **Description of Supplies/Services Required Meeting the Agency's Needs:** The following items shall be added to VA262-13-A-0078:

#	Part/CO #	Item Description	QTY	Price	Extended Price
1	865055	24 Port UTP/FX Switch	24	\$2,301.17	\$55,228.08
2	865055	Option-A02 Cisco 100FX Multimode GBIC	48	\$296.91	\$14,251.68
3	866181	Juniper Firewall	1	\$2,381.89	\$2,381.89
4	866181_A01	866181_P_866-A01 Rack Mount Kit Juniper SRX	1	\$282.53	\$282.53
5	866051	Cisco Router FX	2	\$10,560.39	\$21,120.78
6	865223	GBIC and SFP for switches or Routers	4	\$0.00	\$0.00
7	865223	Option-A04 Cisco 1000BASE-LX/LH M/SMF	4	\$1,244.03	\$4,976.12
8	M1943AL	SpO2 8-pin D-sub Adapter cable 3m	200	\$133.04	\$26,608.00
9	M1943A	SpO2 8-pin D-sub Adapter cable 1.1m	50	\$121.26	\$6,063.00
10	866326	866326 IntelliSpace Event Mgmt Hardware	4	\$0.00	\$0.00
11	866326_HW2	866326 HW2 Rack Server Vendor - HP	4	\$6,651.94	\$26,607.76
12	MXU0146	MXU0146 IEM Implementation 11.0	1	\$59,500.00	\$59,500.00
13	890452	890452 Emergin Maintenance Agreement	1	\$0.00	\$0.00
14	890514_A01	Implementation	1	\$35,343.00	\$35,343.00
15	890514_A01	Training	1	\$13,068.00	\$13,068.00
16	890514_A01	DSS Interface	1	\$8,702.10	\$8,702.10
17	890514_A01	Analytics Interface	1	\$3,682.80	\$3,682.80
18	890514_A01	Device Interface	8	\$1,241.46	\$9,931.68
19	890514_A01	Device Interface Cables	16	\$142.56	\$2,280.96
20	890514_A01	Device Interface Setup	8	\$891.00	\$7,128.00
21	890524	890524 Acute Care Services		\$0.00	\$0.00
22	Option A05	A05 Integration Services, Device Concentrators	18	\$1,667.00	\$30,006.00

The estimated cost for the VA Long Beach Healthcare System is \$327,162.38.

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; and FAR 8.402(f)
- () (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):**

Under FAR 8.402(f), an ordering activity for convenience, may add items not on the Federal Supply Schedule to a BPA based off of an FSS contract under certain conditions. 1) The add-on must comply with all publicizing and competition requirements of the FAR, including FAR part 5, 6, 12, 13, 14, and 15. In the interest of convenience the items identified in section 3 shall be added to this BPA pursuant to 8.402(f) for the rationale stated below.

FAR Part 6.302-1(a) allows for the procurement of items through other than full and open competition; applicable when the agency's minimum needs may only be satisfied by a service that is unique and available from only one responsible source. The above items are all components to several larger physiological monitoring systems, software programs and associated systems to be procured in initial delivery orders for the VA Long Beach Healthcare System. All of these items are specifically needed to maintain complete functionality of the systems within VA262-13-A-0078. Many of these items are customized versions of equivalent hardware in the open market to work specifically with the systems within the BPA. Several items are also for the implementation of these systems which were not included in the FSS Contract, however they are explicitly needed to ensure that these systems are installed properly with full protection of system warranties. Failure to purchase these items from the contractor will result in defective warranties and increasing risk of systems failure. The overall cost for this facility is \$327,162.38 which is relatively insignificant in comparison to the overall system cost of \$5,849,549.35. Many of the required scopes may only be purchased through open market procedures. Thus the add-on open market medical scopes should be added to this BPA under other than full and open competition procedures in conjunction with 8.402(f).

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A notice shall be posted in accordance with FAR part 5. In addition significant market research has been conducted and resulted in a companion limited sources justification resulting in award of VA262-13-A-0078.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The cost of this procurement is fair and reasonable due to significant discounts against list pricing amounting to 44.71% for equipment and 30.71% for supplies. Discounts of this size are 4% higher than all of the contractor's FSS pricing for all other equipment and supplies. In addition when compared to items similar to these items, this pricing is very competitive and due to the level of customization, these items demands slightly higher prices with certain items, however never unreasonably.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research indicates that these items can only be procured from the contractor to ensure full warranty protection. Items that were not needed for full warranty protection were purchased separately such as printers, computer screens, and uninterruptable power supplies.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
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:** It is not anticipated that any subsequent requirements will be needed by the Government.
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.



Name Pamela Christian
Title Biomedical Engineer
Facility VISN 22

6/21/2013

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.

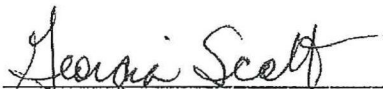


Name David Chakka
Title Contracting Officer
Facility NCO 22

6/21/2013

Date

- b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.



Name Georgia Scott in Lieu of Kevin Blanchard
Network Contract Manager
VISN 22

6/21/2013

Date

