

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** VA Pittsburgh Healthcare System.
  
2. **Nature and/or Description of the Action Being Processed:**  
Only One Responsible Source - Sole Source Award to Alere Informatics, Inc.
  
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**  
Base and Four Option Year Contract to Lease Alere Informatic's, Inc. RALS-Web3 Computer Software, with 24/7 Support. Estimated amount: Base Year - \$9,200 (2237# 646-14-1-080-0058). Estimated Amount for Base and 4 Option Years - \$46,000.
  
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):**

It is essential to the Government's needs to Lease the Alere Informatic's Inc. RALS-Web3 Software, since the VA Pittsburgh Healthcare System need a "direct to" device connection for DCA Advantage to their HL7 Siemens Equipment (providing a bi-directional connectivity system to hospital device), and since Alere Informatic's RALS Software is the only software that has a direct to device connection. It is essential to lease this computer software from Alere Informatic's Inc, since they are the sole provider of their RALS Plus/Freedom Connectivity Platform/Software. (See Sole Source Letter from Alere Informatics, Inc. dated 8/13/2013, under P02 of the Purchase Action Briefcase in the Contract file).

1. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** N/A Sole Source. Since the estimated amount of the Base and all 4 Option Years is greater than \$25,000, a Notice of Intent to Sole Source will be posted on Fedbizopps.
2. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price quoted of \$6,000 for the Annual Lease of the RALS Software is deemed fair and reasonable, since it is comparable to the \$7,000 the VA is paying under Contract VA244-12-C-0214 (PO646-C30026), for similar Software that operates on the VA's RALS Server, and which both are used in conjunction with the same Siemens DCA Advantage (A1C) equipment. (See copy of previous PO# 646-C30026 and email from Lab Information Manager Jennifer Killmeyer, dated 9/10/2013, in the Solicitation Action Briefcase of the eCMS Contract Folder)

The price quoted of \$250 per meter for 24/7 Support is deemed fair and reasonable, since it is less than the \$300 per meter charge the VA previously paid for similar services under VA Contract VA244-12-C-0147 (PO#646-C20524). (See email from Lab Information Manager Jennifer Killmeyer, dated 9/10/2013, and copy of Quote, dated 6/22/2011, under S23, in the Solicitation Action Briefcase of the eCMS Contract Folder)

3. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was conducted to determine if the services were considered commercial items, and since Alere Informatic's Inc. leases this software to both private and federal entities, it is considered commercial items.

In addition, a search of the GSA e-Library using the words "Alere Informatics RALS" showed no other companies. Also a Google Search using the words "Alere Informatics provided had no results. Alere Informatics has provided a Sole Source Letter as mentioned above. The Contracting Officer verified and confirmed with Alere Informatics, Inc. that they do not have a FSS Contract, and concluded the items are not available on the FSS, and that this is an Open Market Sole Source Acquisition. (See copies of the Alere Informatics, Inc. Sole Source Letter; Google and GSA e-Library Query Screens under P02 of the Purchase Request Action Briefcase, in the eCMS Contract Folder).

Since the estimated amount of the Base and all 4 Option Years is greater than \$25,000, a Notice of Intent to Sole Source will be posted on Fedbizopps.

4. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**  
None
5. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**  
None
6. **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:** NA

7. **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.

Jennifer Killmeyer  
Name: Jennifer Killmeyer  
Title: Lab Information Manager  
Facility: University Drive

9/10/13  
Date

**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.

Ronald Mazzei  
Name: Ronald Mazzei  
Title: Contract Specialist  
Facility: HJ Heinz

9/10/13  
Date

- b. **VISN/PCA QA:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Name  
Title  
Facility

\_\_\_\_\_  
Date

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

John A. Paulick for  
Name  
Network Contract Manager  
VISN/PCA X

9/10/13  
Date