

LIMITED SOURCE JUSTIFICATION FOR BRAND NAME SPECIFIC ACQUISITION  
FAR 13.5 TEST PROGRAM FOR CERTAIN COMMERCIAL ITEMS

1. Contracting Activity:

Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Strategic Acquisition Center  
10300 Spotsylvania Ave, Suite 400  
Fredericksburg, VA 22408

2. Description of Action:

The proposed action is for the solicitation of a brand name specific acquisition as outlined in FAR 13.501(a) for equipment required to upgrade Endoscopes currently installed in the VA Boston Healthcare System. This action will be accomplished through the issuance of a Firm Fixed-Price contract. Funding has been allocated under Purchase Request 523-13-4-7821-0495.

3. Description of Supplies or Services:

The proposed action will provide Olympus brand name equipment items needed to upgrade to a 3D version, Olympus endoscopic systems currently being utilized by the clinical staff within the VA Boston Healthcare System. This new imaging technology allows surgeons to view both high-resolution, three-dimensional (3D) endoscopic images as well as wide-angle, panoramic two-dimensional (2D) endoscopic images on the surgeon's console. Access to both 3D and 2D images in a single, consolidated video system will enable surgeons to perform minimally invasive surgical procedures more efficiently and with greater precision. Specific equipment pieces are listed in the attached equipment list. The total estimated value of the proposed action is

4. Statutory Authority:

The statutory authority permitting other than full and open competition is in accordance with Section 4202 of the Clinger-Cohen Act of 1996.

5. Rationale Supporting Use of Authority Cited Above:

In 2011, VISN I standardized their endoscopy equipment and replaced them with those systems manufactured by Olympus. The Olympus equipment has proven to be superior in its' video and endoscopic procedures and factored into the VISN standardization initiative. Olympus now offers a 3D capability with these systems that will further enhance patient care for particular procedures. Olympus is the proprietary manufacturer for the current Endoscopic system being utilized and only Olympus brand components pieces are compatible which makes Olympus

## Endoscope System Upgrade

the only vendor that can provide the required equipment for the 3D upgrade. Restricting competition to only authorized distributors allows for interoperability with the legacy equipment while standardizing surgical services across all campuses to ensure consistent staff education.

### 6. Efforts to Obtain Competition:

Communications with the manufacturer has revealed several authorized resellers of the required equipment, so competition is anticipated. The proposed action will be synopsised on FedBizOps.gov in accordance with FAR 5.201. The ordering activity will make publicly available the justification along with the solicitation in accordance with FAR 5.102(a)(6).

### 7. Actions to Increase Competition:

The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed without any exclusions.

### 8. Market Research:

Market research was conducted through a review of the Federal Business Opportunities database which revealed similar buys for endoscopic system components which were awarded based on limited competition. Each requirement was restricted to the original manufacturer because of both proprietary and compatibility issues. Discussions with the manufacturer of the legacy system being utilized confirmed that only Olympus brand components would function within the current endoscope system. Due to the proprietary nature of the systems being upgraded, only authorized resellers of the same brand may offer acceptable equipment to ensure system interoperability. The vendor provided a listing of authorized resellers, of which four were Served Disabled Veteran Owned Small Businesses as validated by VetBiz.

### 9. Other Facts:

No other sources expressed an interest in writing for the acquisition.

10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

Date: 9/16/13

Title OR Nurse Manager

Signature:

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11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on competition and comparison to the IGCE.

Date: 27 SEP 2013

Procuring Contracting Officer      Signature:

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

Date: 27 SEP 2013

Procuring Contracting Officer      Signature:   

13. Legal Sufficiency Certification: I have reviewed this justification and find it legally sufficient as to formalities and compliance with the requirements set forth in FAR 13.501 only.

Date: 9/27/13

Legal Counsel

Approval

***For acquisitions over \$650K not exceeding \$12.5M***

In my role as Contracting Activity Competition Advocate, based on the foregoing justification, I hereby approve the acquisition of equipment to upgrade Boston VA Medical Center's Endoscopes, on an other than full and open competition basis pursuant to the statutory authority cited in paragraph 4 above, subject to availability of funds, and provided that the property and services herein described have otherwise been authorized for acquisition.

Date: 9-27-13

Head of the Contracting Activity