

DEPARTMENT OF VETERANS AFFAIRS

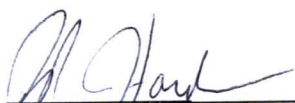
Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, Ft. Meade Medical Center, Fort Meade SD 57741. Requisition Number: 568-14-1-5006-0008
2. **Nature and/or Description of the Action Being Processed:** This will be a fixed price contract. This is for the continuation of the full service plans to Biomerieux Inc. for the maintenance and support of the following units at Ft. Meade and Hot Springs VA Medical Centers. BacT/ Alert 3D.(FM), Vitek 2 Compact 30(FM) & Vitek 2 Compact 30(HS).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Full service contract to maintain and repair the 3 Biomerieux units at Ft. Meade and Hot Springs for FY14.
 1. BacT/Alert 3D. \$4,301.10
 2. Vitek 2 Compact 30. \$11,367.00
 3. Vitek 2 Compact 30. \$11,367.00
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):** These services are provided by the Original Equipment Manufacturer who provides FDA approved parts and software that are proprietary in nature. These FDA approved proprietary parts and software are not available through other sources.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Spoke with Leigh Flowers on 10/16/13, a service & sales representative for Biomerieux and she stated that they are the only company authorized to service and repair Biomerieux equipment. (919) 620-3195
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The proposed prices for FY14 are approximately 5% greater than the previous year's contracts for the same services. This is acceptable and the prices quoted are determined to be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** These services include FDA approved proprietary parts and software which are only provided by the Original Equipment Manufacturer and are not available through other sources. Biomerieux, Inc. was contacted as to other possible sources for these services and they responded that they are the only company authorized to service and repair Biomerieux equipment.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Support of an FDA approved device requires FDA approved replacement parts and software.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** NA
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:** Full service of this equipment requires FDA approved proprietary parts and software which reduces potential for competition.
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.



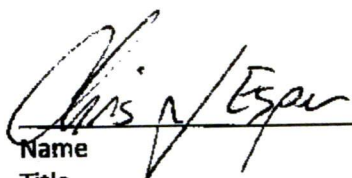
Name

Title
Facility

10/17/13
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

Title
Facility

10/17/13
Date

- b. **PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition and I approve for other than full and open competition.



Name

Network Contract Manager
VISN/PCA X Black Hills
Title
Facility

10/17/2013
Date