

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval Under Simplified Acquisition Procedures (SAP) Simplified Acquisition Threshold (\$3K to \$150K) For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. **Contracting Activity:** Department of Veterans Affairs, VISN 20, Portland VA Medical Center, Facilities Maintenance Service requests a Justification for Other than Full and Open Competition to be purchased by Network Contracting Office 20, 5115 NE 82<sup>nd</sup> Ave Suite 103 Vancouver, WA.

2. **Nature of the Action Being Processed:**

The proposed contract is for the repair and calibration of a Siemens SPECT-CT camera. This is an emergency. This will be a firm-fixed price emergency purchase order for the calibration and repair of a SPECT-CT Camera, including the replacement of the Collimator on or about 9/17/2013. The calibration is needed immediately to prevent delays in patient care. A verbal order was placed on 9/17/2013 for service to be performed 9/17/2013 in order to minimize the time the service is without these items.

3. **Description of Supplies or Services Required to Meet the Agency's Needs:**

The proposed contract is for the calibration and repair of the SPECT-CT Camera on 9/17/2013 from Siemens Medical Solutions USA Inc. The estimated cost is \$28,719.00. Funding is committed on VA 2237: 648-13-4-5095-0978.

4. **Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1). The contracting officer has determined that the circumstances of the contract action deem only one source reasonably available due to urgency. This justification is where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2, IAW the VHA SOP for Other Than Full And Open Competition dated 3-22-2011.

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Siemens Medical Solutions is able to perform the calibration and repair services, and is able to perform the service on 9/17/2013. This is the only vendor found who is available on such short notice who can perform the required repairs. The vendor was already on site repairing this equipment when additional damage was discovered.

**6. Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

This was not preventative maintenance, but a repair in response to a malfunction. The malfunction of this equipment was not anticipated by the biomed department. The urgent need for this repair prevented competition from being reasonably obtained.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:**

The price for the calibration will be determined to be fair and reasonable in accordance with FAR 13.106-3(a)(2)(ii) prices found reasonable on previous purchases. 2 awards for repairs of Collimators on similar equipment were found on FPDS from VA facilities. V636SM6268 from March 14, 2006 was awarded for \$25,530.00 (inflation increases of 3% per year would reflect a value of \$31,398.68 today). VA69D695C90639 from May 8, 2009 was awarded for \$24,805.00 (inflation increases of 3% per year (inflation increases of 3% per year would reflect a value of \$27,918.25).

**8. Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):**

Market research for this acquisition was not done. This repair was initially expected to be a micropurchase, and was authorized by government purchase card, but upon repair of the initial problem, additional damage to the equipment was discovered, which increased the scope of the repair. Since the vendor was already on site performing repairs, sending them away in order to perform market research and competition would have caused unreasonable delays to patient care. A verbal order was placed with the contractor to authorize the additional repairs.

**9. Any Other Facts Supporting the Restriction of Competition:**

None.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

None

**11. Statement of 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:**

Sources who express an interest in response to this award notice may be placed on a list to be contacted the next time an emergency repair comes up.

**12. Requirements Certification - IAW FAR 6.303-2(c):**

I certify that the requirement outlined in this justification is a bonafide 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.

gordon.hosoda@va.gov  
Digitally signed by  
gordon.hosoda@va.gov  
DN: cn=gordon.hosoda@va.gov  
Date: 2013.10.18 07:16:31 -07'00'

Name: Gordon Hosoda  
Position: Chief, Biomedical Engineering

10-17-2013  
Date

**13. Approvals IAW VHAPM, Volume Six, Chapter VI, SOP 3.2.1:**

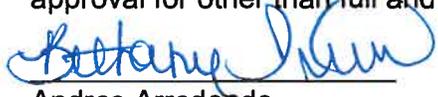
- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

*FOR* 

Name: Bethany Ireton  
Contracting Officer  
NCO 20 Supply Team B Acquisitions Team

10/18/13  
Date

- b. **NCM/PCM/DESIGNEE:** 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 for other than full and open competition.

*FOR*   
Andres Arredondo  
NCO 20 Supply Team B Acting Manager

10/18/2013  
Date