

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

1. Contracting Activity: Department of Veterans Affairs, VISN 16, Purchasing & Contracting (90C), Overton Brooks VA Medical Center, Shreveport, LA. Purchase request 667-14-1-500-0012.

2. Nature and/or Description of the Action Being Processed: This acquisition is to obtain, by the use of Other than Full and Open Competition a full service and support maintenance contract to include preventive maintenance on three government-owned Medivators high-level disinfectors at Overton Brooks VA Medical Center, Shreveport, LA. All units will be maintained by Medivators Inc. This award is necessary to meet the agency's requirement. This contract will be awarded as a firm-fixed-price contract.

3. Description of Supplies/Services Required to Meet the Agency's Needs: These high-level disinfectors are used to disinfect reusable medical equipment (RME), particularly flexible endoscopes used during gastro-intestinal (GI) procedures to diagnose diseases including cancer. This facility performs approximately 20 GI procedures daily. Without high-level disinfectant capabilities the facility will be required to outsource GI procedures at a cost of \$40,000 per day. It is therefore crucial that all high-level disinfectors remain operational to the greatest extent possible. Medivators, Inc. is the manufacturer of the systems. Maintenance of the systems require proprietary tools and procedures only available the manufacturer. To ensure the systems are maintained in accordance with manufacturer's specifications, a full maintenance agreement with Medivators Inc. is required.

Estimated Value: \$132,000.00

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): Medivators Inc. is the manufacturer of Advantage Plus disinfecting systems; as such training is only available to Medivators technicians. Under these circumstances, no third party company has factory trained technicians qualified to support the equipment. The equipment also requires proprietary tools and procedures only available to the manufacturer. To ensure disinfectant systems are maintained IAW manufacturer's specifications, a full service maintenance agreement with Medivators Inc. is required. The manufactures Customer Service department also verified they only offer equipment training to internal technicians.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: Market research has been conducted in accordance with requirements of FAR part 10. Sixteen responses were received; all indicated they could not meet the agencies requirement.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: In accordance with FAR part 13.106-3 (a)(3) The Contracting Officer has conferred with the requesting activities technical expert, and has been advised that the price is fair and reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

- a. An RFI was sent to all 26 vendors on GSA schedule 65II-A, SIN A-90A
- b. An RFI was sent to all 13 VOSB and SDVOSBs on GSA Schedule 65 II-A, SIN A-89
- c. VetBiz search using keyword "sterilization" produced three SDVOSBs and one VOSB. An RFI was sent to all four companies.
- d. Internet search was conducted to identify any competitors (large or small) able to provide maintenance for the Medivator equipment. All results suggest Medivators is the only available source for this particular equipment

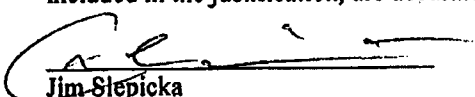
No positive responses were received from any companies large or small.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: No.

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

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:
Consider procurement of non-proprietary devices.


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.


Jim Stepicka
Supervisor,
Biomedical Engineering Section

10/4/13
Date

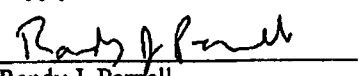
13. Approvals in accordance with FAR 6.304

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


Fredrick L. Wilson
Contracting Officer, NCO 16
Overton Brooks VAMC

4 OCT 13
Date

b. CHIEF P&C: I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.


Randy J. Perrell
Supervisor, NCO 16
Overton Brooks VAMC

10/4/2013
Date