

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, Network Contracting Office, VA Martinez Clinic, 150 Muir Road, Martinez, CA 94553-4668. This justification and approval is for other than full and open competition. 2237 number 640-14-1-500-0026.
2. **Nature and/or Description of the Action Being Processed:** This is a new procurement to purchase an urgently needed replacement part, called the Combo 31cm Apollo Detector, for the existing GE Healthcare interventional angiography bi-plane system at the VA Palo Alto Health Care System, on a sole source, firm-fixed price, open market basis.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The item to be purchased is a replacement part, called the Combo 31cm Apollo Detector, that shall be installed in the existing GE Healthcare interventional angiography bi-plane system, which is used for neuro-diagnostic or interventional procedures. Total estimated value for this purchase for \$174,300.00. Delivery shall be within 4 working days days.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (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)**

Only One Responsible Source (FAR 6.302-1) – The Combo 31cm Apollo Detector is manufactured by GE Healthcare, the sole manufacturer of this system. They are also the original equipment manufacturer into which this detector will be installed. No other manufacturer produces a similar item that can interface with the existing angiography bi-plane system.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** No additional effort was made to solicit other sources for this product. A [REDACTED] will be posted on FedBizOpps.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** *Special Notice* The anticipated cost will be considered fair and reasonable based on anticipation and verification that costs offered to the VA shall be in line with those extended to other entities.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** FAR Part 10 directs that market research be conducted on

each acquisition appropriate to the circumstances. Market research has been conducted and is filed in the eCMS briefcase under P02.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition** This is an urgent order, as no life-saving, interventional procedures can be done until the replacement part is installed. No images can be obtained without this detector. Some patients will have to be sent to other hospitals at great risk to their lives and huge expense to the VA. GE Healthcare is currently the sole manufacturer of the bi-plane detector, and they are the original equipment manufacturer into which this detector will be installed. No other manufacturer produces a similar item that can interface with the existing angiography bi-plane system.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition;** See Section VI above.
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:** : In the future, other manufacturers will be considered if it becomes known through market research that other manufacturers produce replacement parts.
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.



Title
Facility



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.



Angela Oppenheimer
Contracting Officer
NCO-21, VA Martinez

11/22/2013

Date

- b. **Service Team Manager:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



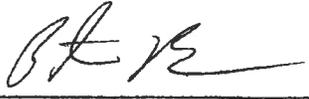
Patricia Benson
Team Manager, Supply Team
NCO 21

11/25/2013

Date

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

jr



Josefina Ledezma
Network Contract Manager
NCO 21

11/25/2013

Date