

**DEPARTMENT OF VETERANS AFFAIRS**  
**Determination to Solicit from a Single Source**  
**Medivators Maintenance**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 06, Hunter Holmes McGuire Richmond, VA VAMC (Station 652)
2. **Nature and/or Description of the Action Being Processed:** The Richmond VA VAMC requires other than full and open competition for the procurement of a Silver Service Agreement for the following CER-2 and CER-2R equipment and a Gold Service Agreement for the following Advantage Plus sterilizers:

EE#	Manufacturer	Model	Serial Number
6021890	Medivator	CER-2	2C640860-16
6021892	Medivator	CER-2	2C640860-22
6021891	Medivator	CER-2	2C640860-45
6021998	Medivator	CER-2R	2C640860-05
6026848	Medivator	Advantage Plus	66696001
6026849	Medivator	Advantage Plus	66696003

This requirement is for a base year beginning 1 January 2014, and four option years. Estimated yearly dollar value is \$26,752 with a total contract value of \$133,760. Award will be made to Medivators Inc., a large business with associated DUNS number 068199363 under NAICS code 811219 Other Electronic and Precision Equipment Repair and Maintenance.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Richmond, VA VAMC requires a preventative maintenance and service contract for the CER-2, CER-2R and Advantage Plus sterilizers for scheduled periodic maintenance, inspections, and as-needed services. The service agreement shall cover both emergency repairs, as well as scheduled preventative medicine. Scheduled preventative maintenance may include but are not limited to: electrical safety testing, lubrication, adjustment, calibration, testing and replacement of faulting parts and/or parts that are likely to fail at no additional charge.

Scheduled preventative maintenance will be provided per the following frequencies: quarterly (every 3 months) in January, April, July, and October for all CER-2 and CER-2R sterilizers; and annually (every 12 months) in August for all Advantage Plus sterilizers.

4. **Statutory Authority Permitting Other than Full and Open Competition:** Soliciting from a single source per FAR 13.106-1(b).
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The CER-2, CER-2R, and Advantage Plus endoscope reprocessors are vital to the continued success of surgical cases requiring the use of such equipment. The endoscope reprocessors allow for reuse of endoscopes used in invasive surgical procedures; the inability to reprocess these endoscopes causes delays and cancellations of surgical cases resulting in a direct, detrimental effect to the level of patient care provided to our Veterans. Minimal downtime of these endoscope reprocessors is required to ensure ongoing high levels of patient care provided by Surgical Services.

These endoscope reprocessors utilize proprietary hardware and software and must be serviced by the Original Equipment Manufacturer (OEM), Medivator, due to the unique and critical nature of the equipment. The OEM does not train 3<sup>rd</sup> parties to service the equipment. A service agreement with the OEM will reduce equipment down-time, decrease emergency repair costs, and eliminate PM delays

that would directly impact patient care provided by Surgical Services versus services provided by 3<sup>rd</sup> parties, who then subcontract to Medivator.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Due to the proprietary nature of the Medivator endoscope reprocessors and the lack of trained 3<sup>rd</sup> party service technicians, Medivator is the only vendor qualified to provide required services; therefore, no additional sources were sought.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** IAW FAR 13.106-3(a), Medivators' price will be found fair and reasonable based on a comparison of the IGE as well as prices found reasonable on previous purchases.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A Federal Business Opportunities (FBO) search revealed contract VA69D-13-C-0373 was awarded to Medivators, Inc., DUNS number 068199363, for the same sterilizers. Contact with Trong Nguyen, Contracting Officer for NCO 12 – Great Lakes Acquisition Center confirmed services are proprietary to Medivators Reference based on contact with Medivators, as well as an intent to sole source posted via FBO on 9 August 2013. The intent to sole source received 0 responses, and as a result, NCO 12 – Great Lakes Acquisition Center approved a Determination to Solicit to a Single Source in accordance with (IAW) FAR 13.106-1(b). See attached Market Survey.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Due to the proprietary nature of the Medivator endoscope reprocessors and the lack of 3<sup>rd</sup> party vendors trained in required service techniques, Medivator is the only vendor qualified to provide required services. Preventative maintenance performed by Certified Service Technicians from the OEM, Medivator, has successfully maintained these units per OEM specifications through previous contracts with the Richmond VAMC.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Reference section 8 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:** National Contracting Office 6 and the Hunter Holmes McGuire Veterans Affairs Biomedical Department will continue to evaluate the marketplace to determine if there are new entrants who are qualified and capable of providing this type of complex repair and maintenance.
12. **Requirements Certification:** I certify that the requirement outlined in this determination is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in this determination, are accurate and complete to the best of my knowledge and belief.

  
Leslie Baggesen  
Biomedical Engineer  
Richmond VAMC

12/20/2013  
Date

13. Determination in accordance with FAR 13.106-1(b):

- a. **Contracting Specialist's Determination:** I certify that the foregoing Determination is accurate and complete to the best of my knowledge and belief.

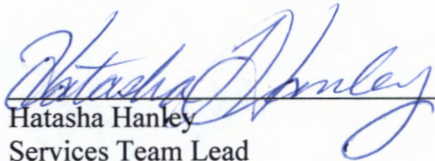


Ashley P. Seffernick  
Contract Specialist

Network Contracting Office (NCO) 6 – SAO East

12/19/13  
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the determination meets requirements for soliciting from a single source.



Hatasha Hanley  
Services Team Lead

Network Contracting Office (NCO) 6 – SAO East

12/19/13  
Date