

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, John D. Dingell VAMC 4646 John R. Detroit MI 48201, 553-14-2-138-0043
2. **Nature and/or Description of the Action Being Processed:** This is a firm fixed price order for repair of Olympus HD Endoeye Lap Model WA50052A serial # 615197. Cost of repair \$11894 service.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Services and parts provided by Olympus to replace broken distal fibers, objective frame, and outer tube of said device to bring the scope back to manufacturer's specifications for patient use. Estimate of repair to begin asap after 1/24/14. Estimated cost \$11,894.00. Olympus America, 3500 Corporate Pkwy, Center Valley, PA 18034.
4. **Statutory Authority Permitting Other than Full and Open Competition:** Unusual and compelling urgency as agency has three of these scopes are out for repair causing likely delays in patient treatment. Warranty of this high definition model was voided due to damage. This model is new and can only be repaired by Olympus at this time.
  - ( ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - (X) (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):** Scope is a High definition model that was still under warranty. Only Olympus can repair this model to Original manufacturer's specifications. Patient care will be affected if this scope is not repaired immediately.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** None. Olympus is the only vendor that can repair this equipment at this time.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Olympus has been used by VA Detroit for similar repairs PO 553-C30189, \$11,939.00.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** none; urgent and compelling.

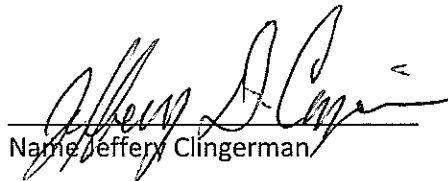
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Olympus 2400  
Ringwood Ave San Jose CA 95131

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:** No foreseen barriers. Should a requisition of this nature recur, the market will be surveyed.

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.

*(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)*

  
Name Jeffrey Clingerman

1/24/14  
Date 1/24/14

Title BESS  
Facility VAMC Detroit

13. **Approvals in accordance with FAR 6.304** This part is filled out by Contracting Staff as part of the Justification

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Name  
Network Contract Manager  
VISN/PCA X

\_\_\_\_\_  
Date

Title  
Facility

- c. **SAO (If over 650K):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Name  
Director  
Service Area Office, East

\_\_\_\_\_  
Date

- d. **VHA HCA Review and Approval:** 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 (if over \$12.5 million) or approve (\$650K to 12.5 million) for other than full and open competition.

\_\_\_\_\_  
Name  
Chief Procurement and Logistics Officer  
VHA Head of Contracting Activity (HCA)

\_\_\_\_\_  
Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$12.5 million but not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

\_\_\_\_\_  
C. FORD HEARD  
Deputy Senior Procurement Executive (DSPE)  
Office of Acquisition and Logistics  
Department of Veterans Affairs

\_\_\_\_\_  
Date

- f. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

\_\_\_\_\_  
Jan R. Frye  
Deputy Assistant Secretary for Acquisition and Logistics  
Senior Procurement Executive (SPE)  
Department of Veterans Affairs

\_\_\_\_\_  
Date