

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** *Department of Veterans Affairs, VISN XI, Ann Arbor Medical Center and Spacelabs Healthcare, for labor and materials needed to complete the telemetry. Details listed on 2237 transaction #.*
2. **Nature and/or Description of the Action Being Processed:** *Sole Source request for Spacelabs Healthcare, to provide labor and materials as detail on 2237 request to complete the telemetry project at Ann Arbor VA.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** *Spacelabs Healthcare will provide all necessary parts and labor to complete telemetry project no later than January 20, 2014 at a total estimated cost of \$52,812.00*
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §253(g), as implemented by FAR 6.302 (1)/FAR 6.302.2(2)*
 - (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*
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**
 - a. **Only One Responsible Source (FAR 6.302-1) –** *Spacelabs Healthcare, is the only firm capable of providing the labor and materials needed for the project described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements. due to the proprietary nature of the specialized Spacelabs Healthcare equipment*
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *Biomedical Engineering was not able to secure third party sources for this work. The requested labor and materials are of a proprietary nature and the specialized equipment is set to meet the requirements of this agency. At this time no other sources exist capable of providing the services needed.*
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** *Due to the nature of the services being requested the estimated costs are deemed fair and reasonable. Based on past history with this company. Current PO with Spacelabs is PO 506-C30234 \$75,540.00.*

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** *No market research was conducted this equipment contains proprietary hardware that is not available in the open market.*

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:** *None*

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:**
Market research will be conducted next year to see if other sources may be available to provide the service.

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.*



Date 1/6/14

Name: Mike Johnson
Title: Chief Biomedical Engineering Service
Facility: VA Ann Arbor Medical Center

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.

Name

Date

Title

Network 11 Contract Office

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

Name

Date

NCM/Supervisory Contract Specialist (as appropriate)

Network 11 Contract Office

c. **SAO(if over \$500K):** I certify the justification meets requirements for other than full and open competition.

Ricky L. Lemmon
SAO Director
Central Region

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 \$10 million) or approve (\$500K to \$10 million) for other than full and open competition.

NORBERT S. DOYLE
Chief of Procurement and Logistics Officer
VHA, Head of Contracting Activity

Date

e. **VA Deputy Senior Procurement Executive Approval (over \$10 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