

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

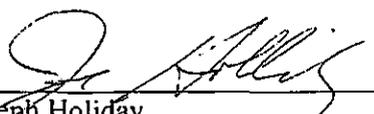
For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, *Roudebush VA Medical Center 1481 W. 10th Street, Indianapolis, IN 46202. 583-14-2-997-0054*
2. **Nature and/or Description of the Action Being Processed:** *New procurement of software and hardware for double checking radiation oncology patient imaging and radiation treatments.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** *New procurement of: kV/MV/CBCT imaging test hardware and software, isocentric gantry mount for radiation measurement equipment, automated check of daily treatment collimator leaf motions for each patient, secondary required dose calculation utility that will allow us to use some of the more advanced features of our new Varian TrueBeam linear accelerator. Dose utility was chosen to be compatible with that at Indiana University Radiation Oncology, whose residents rotate through our department. Total: \$49,407.84. Needed by: March 31, 2014. Sun Nuclear Corp., 425-A Pineda Ct Melbourne, FL 32940.*
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):** *This item is needed urgently in order to use the advanced features of our new TrueBeam LINAC. If the service were to put out for open bid the service would have to also bid out new software and hardware systems, the cost for this would be much larger than the cost to purchase equipment to be used with our current system. Sun Nuclear is the sole source. The equipment is proprietary. They do not have distributors.*
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *No other offers were solicited due to the fact that equipment to be*

purchased would have to be compatible with the current Sun Nuclear system used in Radiation Oncology.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** *The pricing of this procurement is \$49,407.84 and is considered fair and reasonable pricing for this procurement. Past PO 583-A29066 - \$70,889.00.*
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** *Other vendors such as PTW, IBA, and Standard Imaging were consulted in summer of 2013 for price comparability. No other market research was conducted as the equipment purchased must be from Sun Nuclear in order to be compatible with our current systems.*
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:** *Sun Nuclear Corporation, 425-A Pineda Court, Melbourne, FL 32940. Jim Ernsberger 321-259-6862*
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:** *When the life time expectancy of the system has expired (10 years), Radiation Oncology can research the possibility of going with another company.*
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.



Joseph Holiday
Supervisory Radiation Therapist, Radiation Oncology
Roudebush VAMC

2-27-14

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.

kellie.theisen@va.gov

Digitally signed by kellie.theisen@va.gov

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Date: 2014.02.28 09:13:25 -05'00'

Name
Title
Network 11 Contract Office

Date

Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

- 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

Date

Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs