

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval  
For  
Other Than Full and Open Competition

1. **Contracting Activity:**

Department of Veterans Affairs  
Veterans Health Administration (VHA)  
Network 15 Contracting Office  
3450 South 4<sup>th</sup> St Trwy  
Leavenworth KS 66048

2. **Nature and/or Description of the Action Being Processed:**

This is a request to purchase a direct patient care equipment item using unusual and compelling urgency procurement procedures in accordance with FAR Part 13.106-1(b)(1)(i) for a contrast media injector for the Robert J Dole VAMC in Wichita, KS. This action is to approve a Purchase Order (PO) in accordance with the aforementioned procedures. The current LF Angiomat injector has failed and there is no backup equipment. The approval request is being processed in accordance with VHA Procurement Manual Chapter VI: Other Than Full and Open Competition (OFOC) policy.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Purchase request/2237 #: 589-14-2-4805-0018.  
Quantity 1 each, Bayer Healthcare LLC, Medrad® Mark 7 Arterion™ Contrast Injector w/ a heat maintainer syringe, installation and manuals. The estimated cost is \$ XXXXXXXXXX

Estimated date of delivery is February 21, 2014 based on issuance of a PO on February 14, 2014. Bayer Healthcare will be using expedited transportation to deliver this equipment.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

*41 USC §253(c)(1), as implemented by FAR 6.302-2.*

- (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;
- (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):**

The existing equipment was in use in the standard operating room has reached end of life and is no longer in use. The equipment failed to function during a surgical case. Parts for maintenance and repair of existing equipment are outdated and no longer available. There is no other equipment in

the facility that can be used in place of existing equipment. All cases requiring this equipment have been put on hold or will be outsourced.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

Due to the urgent nature of this requirement, no efforts were made beyond contacting Medrad/Bayer Healthcare.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

The Contracting Officer anticipates the cost to the Government will be fair and reasonable based on comparison to previous prices paid for similar devices for facilities within VISN 15. VA255-13-P-0647, XXXXXXXXXX

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

A search was completed online and through the other departments with contrast injectors by the requesting service. No small business concerns were identified. The urgency of this requirement did not facilitate any further research possibilities.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

With the current equipment not functioning, the VAMC is unable to schedule patients. Procuring the equipment from the same manufacturer of other department contrast injectors, staff are very familiar with the equipment which will result in less delay in resuming procedures. The failed equipment is not cost effective to repair. Parts are outdated and unavailable.

**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:**

The Wichita VA Radiology Department will remove or overcome barriers to competition by adequately planning known requirements and pledges to do so before any subsequent acquisitions.

**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.

Radiology Manager  
Robert J Dole VA Medical Center

3-10-14  
\_\_\_\_\_  
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.



Contracting Officer  
Network 15 Contracting Office (NCO 15)

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



Director of Contracting  
Network 15 Contracting Office (NCO15)