

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, Michael E. DeBakey VA Medical Center (MEDVAMC).

Transaction Number 580-14-2-167-0190

2. **Nature and/or Description of the Action Being Processed:** Tattoo Laser Removal & Treatment System/Workstation. This will allow for fewer treatments and less cost effective for the overall care that will be provided to the veterans requiring this removal procedure.

Contract Type: Firm Fixed Price

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Tattoo Laser Removal Treatment System/Workstation for use in the Dermatology Clinic.

E [REDACTED]

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 Tattoo Laser Removal Treatment System/Workstation does not require any additional supplies or disposable equipment. This laser removal treatment procedure clears tattoos in approximately half the time using picosecond technology as opposed to nanosecond technology. The reduction in tattoo clearance time not only good for the veterans who will undergo fewer treatments but will shorten the length of time it takes for new veterans to receive the procedure. There is an increasing workload in the Dermatology Clinic for this tattoo removal procedure. The cost of the system includes shipping, installation and training. This Tattoo Laser Removal System/Workstation has advance technology that will allow the clearance of tattoos in half the time with much faster laser pulse. The Dermatology Clinic will be able to schedule new patients to alleviate the increasing workload. Cynosure Inc. is the manufacturer and sole distributor of this system and is a small business.

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

Market research was conducted using the following techniques: GSA eBuy/ GSA Advantage, VANAC, Vetbiz, Dynamic Small Business and Google did not return any results for this type of procurement. Dynamic Small Business returned a result for Cynosure. Google results for the most advanced technology for this type of tattoo removal system yielded results for Cynosure, Inc.

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

The pricing will be analyzed against the IGB and utilizing any available pricing data/history and trends in supply and demand for similar systems to ensure that the price is fair and reasonable.

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

Market research was conducted using the following techniques: GSA eBuy/ GSA Advantage, VANAC, Vetbiz, Dynamic Small Business and Google did not return any results for this type of procurement. Dynamic Small Business returned a result for Cynosure. Google results for the most advanced technology for this type of tattoo removal system yielded results for Cynosure.

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

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Cynosure, Inc

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 Agency will continue to utilize all the tools available in the marketplace to procure equipment with the most advanced technology that will be utilized in the daily operation in medical centers to provide care to our nation's veterans.

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.

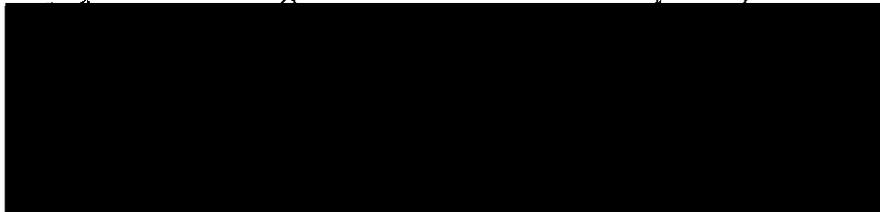


13. Approvals in accordance with FAR 6.304

- a. Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



- b. P&C: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



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

