

Attachment 2: Request for Sole Source Memo Format

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval**

**For**

**Other Than Full and Open Competition**

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1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, Station 553, John Dingell VA Medical Center, Facility Management – Biomedical Engineering, 6439 Garners Ferry Road, Columbia, SC 29209.  
553-14-4-138-0378
2. **Nature and/or Description of the Action Being Processed:** This request is to award a new sole source payment justification to Olympus to service three endoscopes located at the Detroit VA Medical Center.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This require is for servicing of three endoscopes located in Surgery and GI departments that are very sensitive and used in patient care. The service is needed so that current equipment can be safely and efficiently used on patients to provide diagnostic services. There have been several issues regarding this equipment that warrant an immediate need to service due to current and potential problems that can be associated with malfunction. Due to the equipment not operating correctly there is a potential risk of injury to hospital patients, staff and damage to hospital equipment. The estimated cost of this service is \$29,000. Required period of performance is July 20, 2014. Olympus America, 3500 Corporate Pkwy, Center Valley, PA 18034.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( ) (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):** This manufacture has all the tools and service codes to work on the sensors associated with the repair and replacement of the ultrasound probe component parts. Bayer is the sole source capable of providing service, updates, calibrations, and repairs. They must do this work in order to guarantee or warranty any such repairs. Also this work must be coordinated with Biomedical Engineering. Olympus is prepared to execute this work upon contact.

6.

**Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Time did not permit for a solicitation due to the urgent nature of the request.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price paid for these services was \$28,060.50. This price is found to be reasonable, as it is similar to past orders for similar repairs. 553-C30189 - \$11,939.00 (one scope). This order has three scopes for \$9,495.25, \$9,070.00, and \$9,495.25.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** |  
Market Research was not conducted due to the urgent nature of the request. Patient care will be negatively affected if repairs are not completed in a timely manner.
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:** The competitive opportunities for this requirement will be reviewed prior to the next award.
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.



Robert Hijazi, PhD  
Biomedical Engineer  
Detroit VAMC

7/4/14

Date

13. **Approvals in accordance with FAR 6.304** *This part if 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  
Network 11 Contracting Office

Date

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

\_\_\_\_\_  
Name  
Director of Contracting/Supervisory Contract Specialist (as appropriate)  
Network 11 Contracting Office

\_\_\_\_\_  
Date

- c. **SAO(If over \$650K):** 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 \$12.5 million) or approve (\$650K to \$12.5 million) for other than full and open competition.

\_\_\_\_\_  
NORBERT S. DOYLE  
Chief of 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)  
Assistant Secretary for 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