

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

1. **Contracting Activity:** The Department of Veterans Affairs (VA), Veterans Health Administration (VHA), Network Contracting Office (NCO) 10, Chillicothe VA Medical Center. The VA proposes to award procurement on the basis of other than full and open competition (BRAND NAME) for one Stryker® Power-LOAD™ System. The Purchase Request Number is 538-14-3-6634-0014.
2. **Nature and/or Description of the Action Being Processed:** The proposed action is a new firm-fixed-price requirement issued as Other Than Full and Open Competition (BRAND NAME) to purchase one Stryker® Power-LOAD™ System for use by Emergency Management Services. The requirement will be solicited via Federal Business Opportunities (FBO) as brand name small business set-aside.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Department of Veterans Affairs (VA), Veterans Health Administration (VHA), Network Contracting Office (NCO) 10, Chillicothe VA Medical Center Emergency Management Services has a requirement for one Stryker® Power-LOAD™ System. The Stryker® Power-LOAD™ System is the only device compatible with the Stryker Power-PRO XT Model 6500 cot currently used in the Fire Department ambulance and other patient transport vehicles assigned to the facility. The estimated value (including options) of the acquisition is \$26,347.55 and the estimated delivery dates 45 days after receipt of order (ARO).

The Stryker® Power-LOAD™ System is comprised of the following:

Manufacture Item #	Description	Quantity	Unit
6390-000-000	POWER LOAD - 1 EA	1	EA
6500-002-030	EMS RESTRAINT PACKAGE - 1 EA	1	EA
6500-002-150	KNEE GATCH BOLSTER MATTRESS - 1 EA	1	EA
6500-700-049	6500 PWRLOAD COMP UPGRADE KIT - 1 EA	1	EA
0077-100-003	PROCARE UPGRADE	1	EA

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c) (1), as implemented by FAR 6.302.1:
(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Based on extensive market research, as described in Paragraph 8 of this document, it was determined that Stryker is the only firm capable of manufacturing the supplies and services 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. The Stryker® Power-LOAD™ System is the only automated ambulance loading/unloading fastener system fully compatible with the Stryker® Power-

PRO™ XT Model 6500 cot currently used in the Fire Department ambulance and other patient transport vehicles assigned to the facility.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research was conducted, details of which are in the market research section of this document. Other than full and open competition is anticipated for the required equipment. It has been determined that the Stryker® brand is the only automated ambulance loading/unloading system fully compatible with the Stryker® Power-PRO™ XT Model 6500 cot currently used in the Fire Department ambulance and other patient transport vehicles assigned to the facility. This brand and model must be purchased due to compatibility issues with existing equipment as described in previous statements. If this action is approved, this Justification for Other Than Full and Open Competition will be posted on the Government Point of Entry (GPE) together with the solicitation, on Federal Business Opportunities (FBO) website with the Notice of Award after the award of the proposed purchase order.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The requester and other Government representatives completed market research and provided an Independent Government Estimate (IGE) based on informal vendor quotes, procurement history, market and commercial pricing. The anticipated cost shall be considered fair and reasonable and a statement of price reasonableness will be included in the file. Open market items shall be analyzed using market research, catalog prices, comparison to similar items in a related industry, and factors other than price. Award will not be made unless the price is determined fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section VI above, market research, in accordance with FAR Part 10, was conducted by advising industry of the pending acquisition and soliciting inquiries from interested parties.

Market research sources and their corresponding findings:

- a. Historical acquisition information (review of recent market research results for similar or identical supplies/services).
- b. The requester and other Government representatives completed market research and provided an Independent Government Estimate (IGE). The IGE was mostly derived from informal vendor quotes and procurement history. They have also provided a recommended source, which is American Medical Depot
- c. A Google search provided more information about the products being requested. The items being requested are not on a GSA contract. Reviewing catalogs and other generally available product literature, specifically the GSA Advantage! online catalog. GSA Advantage! searches showed that this equipment is not available on any VA FSS contract.
- d. A search in the electronic Contract Management System (eCMS) under Stryker Medical Inc. indicated that there have been approximately thirty-five (35) other orders were found to have been awarded to Stryker Medical within VHA in the last five years. One of these orders was for a site within VISN 10, but it was not a similar requirement.
- e. In accordance with the priorities for use of Government supply sources in the Veterans Affairs Acquisition Regulations (VAAR) 808.002, market research determined that these products and services are not available from (1) agency inventories, (2) a national committed use contract

awarded by the VA National Acquisition Center (NAC), (3) a mandatory the Federal Supply Schedule (FSS) contract awarded by the NAC in Federal Supply Classification (FSC) groups 65 and 66 or (4) an optional use FSS. They are not currently on a GSA FSS contract. Continuing the order of priority, the next supply source where contractors can reasonably meet our requirements is in the open market.

Stryker Medical produces the required Stryker® Power-LOAD™ System. However, information revealed by market research illustrates that these products are only available on the open market and are not offered on the VA NAC schedules.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The aforementioned equipment is proprietary in nature and only those authorized distributors may sell and / or distribute this equipment to the federal government.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section VI above.

American Medical Depot
10315 USA Today Way
Miramar, FL 33025
P: 305-364-0888

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:**

Although the Chillicothe VAMC does not anticipate any further equipment will be required for this system, the agency will work with the program office to perform additional market research if any additional equipment is needed to add-on to the current system. Additionally, the Chillicothe VAMC will continue to monitor the marketplace for new entrants and products meeting requirements. If this action is approved, this Justification for Other Than Full and Open Competition will be posted on the Government Point of Entry (GPE), Federal Business Opportunities (FBO) with the combined synopsis.

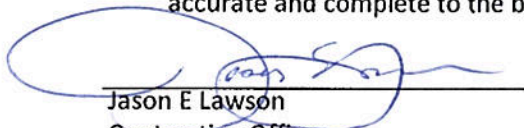
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Steve Leve
Emergency Manager
Chillicothe VAMC (538)

7/9/2014
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.


Jason E Lawson
Contracting Officer
Chillicothe VA Medical Center

7/11/2014
Date

- b. NCM/PCM : I certify the justification meets requirements for other than full and open competition.

Terry Spitzmiller
Director of Contracting
Network Contracting Office (NCO) 10

Date