

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, 583-14-3-285-0055.

2. **Nature and/or Description of the Action Being Processed:** *New procurement of 3D scanner, lift, and accessories.*

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

- Relative dosimetry cylindrical 3D water scanning system
- 3D scanner electronic life table with 50cm vertical travel
- 3D water reservoir for Sun Nuclear 3D scanner system with bi-directional pump
- TPR option for 3D scanner to perform TPR measurements
- Detector holder accessories
- SteroPHAN phantom with MRI Support
- IC Profiler compatible with Sun Nuclear Profiler software
- EDGE Dosimetry Detector
- Custom training for 3D Scanner, SteroPHAN, and IC Profiler

Total estimated cost is \$186,095.00 with delivery no later than September 30, 2014.

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;
- (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):**

- a. **Only One Responsible Source (FAR 6.302-1)** – The Richard L. Roudebush VAMC has several services that utilize Sun Nuclear equipment/products with Sun Nuclear's proprietary software systems. Within this service, all similar radiological medical equipment in operation has been manufactured by Sun Nuclear. This prevents output data compatibility issues and variances in output tolerances. It is essential to acquire the new equipment from Sun Nuclear for compatibility to interface with the existing equipment, as well as formatting/acceptability of diagnostic data products for use in other departments within the medical facility. No other manufacturer's equipment has the capability of interfacing with the Sun Nuclear equipment in the medical center. To buy the equipment from another manufacturer would mean buying other new equipment to circumvent compatibility issues with the existing equipment. This would result in a substantial duplication of cost to the Government that is not expected to be recovered through competition.

- b. The following features are unique to Sun Nuclear.
- Modern digital electrometers: 1 microsecond response time versus 50 millisecond response time: a factor of 50,000 times faster. This means much more accurate readings and faster readings as well. This is required for upcoming Stereotactic Radiosurgery Program (funded but not yet installed).
 - One box electronics without troublesome cables to connect. Connecting cables are a chronic problem with the PTW unit.
 - Auto-leveling of water tank: reproducible, operator independent and much faster to set up.
 - Water tank support would not sit on the Varian TrueBeam linear accelerator turntable. Other vendors' tanks do and that breaks the turntable per Varian.
 - Optimized ion chamber orientation to beam without manually rotating water tank 90 degrees. This is much more accurate as well as much faster.
 - High true data density: 20 points per mm – much more accurate
 - Automatic center, and water level detection included in base model.
 - Horizontal scan range of 65 cm vs 50 (or 48) cm for the others. This is required for accurate dose outside of the treatment field (e.g. fertility concerns, pacemaker overdose, risk of second malignancy in breast cancer treatment).
 - Breaks down for transport in vendor supplied case. Detroit and Ann Arbor are the other two Rad Onc departments in VISN 11. Detroit already has one of these. Between the three stations the equipment can be borrowed as needed. The Rad Onc National Office encourages commonality of equipment for efficiency and safety. The learning curve for the devices is quite high.
 - Uses searchable database for data storage.
 - Original data cannot be deleted, unlike other systems.
 - Much of the data collection is very repetitious. Auto batch queues for our treatment planning system.
 - Design has a consistent amount of cable in the beam, which allows for more accurate data collection.
 - Lift table is much lighter: 85kg vs PTW 150 kg and Wellhofer 116 kg.
 - Water reservoir pump does not generate bubbles, allowing faster measurements.
 - Cannot overfill tank. Overfilling tank results in water on the turntable leading to damage to the LINAC.
 - Wide dynamic range of electrometer does not require gain reset. This is faster and more accurate.
 - No neutron damage to electrometer.
 - Sun Nuclear software drives the existing Sun Nuclear 1D water phantom. No other vendor's software can do this due to propriety software.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A Sources Sought notice was published to FBO June 27, 2014. No responses were received.

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

The contracting officer has determined that the costs are considered fair and reasonable based on the following. During market research, IBA-Group submitted a quote a Blue Phantom System comparable to what the Service requires. The cost of that quote is \$178,590 but it is known that the equipment is not compatible with the existing equipment. The cost for the Sun Nuclear items is anticipated to be \$186,095.00 and it known to be compatible.

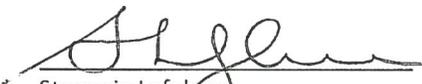
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

As described in Section VI above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting information from interested parties.

The Service conducted research for subsystem compatibility and desirability, specifically PTW and Wellhofer, and found that subsystems cannot be interchanged.

Additionally, the Contracting Officer contacted GE Imagery and IBA-Dosimetry to determine suitability of meeting the requirements of the acquisition. From this research, it was found that all of these systems are proprietary in nature and not compatible with components from other manufacturer's systems.

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:**
State "See Section VI above."
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 entire system has expired Radiation Oncology can research the possibility of another manufacturer's equipment.
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.


Stephanie Lefebvre
Business Manager, Radiation Oncology
RLRVAMC

7/10/14
Date

13. **Approvals in accordance with FAR 6.304**

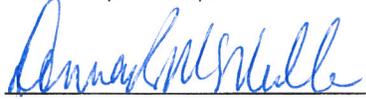
- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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a.gov
Nikki Horther
Contracting Officer
NCO 11

Digitally signed by
nikki.horther@va.gov
DN: cn=nikki.horther@va.gov
Date: 2014.07.11 10:03:13 -0400

Date

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

for 
Toni Waggoner-Boykin
Supervisory Contract Specialist
NCO 11

7/11/2014
Date