

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 21, Contracting Office, proposes to enter into a firm-fixed price contract on the basis of justification for other than full and open competition for the Healthcare System in Martinez, CA. The purchase request number is 612-14-4-138-0881.
2. **Nature and/or Description of the Action Being Processed:** The VA Northern California Healthcare System (VANCHCS) has an emergency requirement for an MRI repair. The 2237 was processed on July 18, 2014 for same day award.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** An RF driver power supply was replaced on the VANCHCS Verio 3TMRI machine in January 2014. The machine became dysfunctional on July 18, 2014; Siemens assessed that the culprit may be the same part that was replaced in January 2014. The part was still covered under a 6 months warranty; labor, however, was not covered under the warranty.

In troubleshooting the problem, the RF driver power supply was not the issue. Siemens assessed that the RF Deck assembly was defected. The purchase order is for a replacement assembly deck and installation costs. This is an emergency procurement in which a verbal order was given to the contractor, Siemens Medical Solutions, the sole source provider of OEM parts and services. Patient care is being severely impacted due to the machine being out of order.

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):**

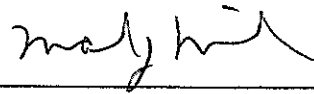
Siemens Medical Solutions is the sole source OEM provider of parts and services.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The government end users have been informed to seek information on new industry practices and trends in the commercial market. As technology advances, there is likelihood that competition for service maintenance for the MRI system could be identified in future procurements.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated price to the Government is \$73,047.60. A determination of fair and reasonable pricing will be made on the basis of comparisons to historical data to similar procurements within the VA medical centers and other federal customers.
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 to identify alternative service providers as well as complete alternatives to the MRI system. It was determined that no alternatives currently exist as previously outlined in paragraph 5.
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:** 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:** End users are performing research to determine how long this sole source situation can be expected to persist and if there will be other means of fulfilling this requirement in the future.
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.



Name
Contract Officer
NCO21

Date 7/18/14



Name: Mark Mikus
Branch Chief, Services Team I

7-18-14

Date