

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, VA Ann Arbor Medical Center. The 2237 for this procurement is 506-14-3-1354-1509.
2. **Nature and/or Description of the Action Being Processed:** This is for a purchase of a Flaxitron UltraFocus 60 Digital Radiography System, and a one year service plan.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The service is requesting one (1) Flaxitron UltraFocus 60 digital Radiography System. This is a small animal digital X-ray system that will facilitate rapid animal diagnostics and triage of animals in the Ann Arbor VA Veterinary Medical Unit (VMU). The ability to obtain such images is dependent on the animal remaining motionless under anesthesia. The Faxitron unit is requested because of the ability to obtain rapid high-resolution images under 5 seconds which will allow the use of a rapid and simple anesthesia method. Other digital X-ray units obtain images in over 45 seconds which will then require the use of a more complicated anesthesia machine adjacent to the X-ray unit with attached hoses and masks that would be contained within the X-ray unit. Longer anesthesia times would be associated with greater risk and mortality in the study animals. The estimated cost of this procurement is \$112,388.00 (\$99,900.00 for the machine, \$12,488.00 for the service plan) with a period of performance of 30 days ARO.
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):** The Flaxitron UltraFocus obtains images in less than five (5) seconds whereas other machines do 45 seconds. This reduces the exposure of radiation to the animals as well as lowered mortality.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Only one source is available, which meets our requirements. Other small animal radiography systems were identified, but the system from Flaxitron is the only one to provide a significantly reduced exposure time increasing its effectiveness and safety.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price quoted for the Faxitron UltraFocus 60 is \$137,363.00. This price is

relative to procurements that have already been deemed fair and reasonable. Examples of such procurements are: VA24513P1256 (\$129,999.99) and W91YU012P0638 (Dept of the Army PO) (\$81,370; machine only).

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Pricing and technical information for X-ray systems was obtained from the Faxitron and Kubtec websites and information sent by the respective company representatives. As an expert in the bone biology field, meeting with vendors at scientific meetings, and conversations that I have with other skeletal biology investigators, two digital X-ray units to image small animals are currently available. The Faxitron UltraFocus 60 is an ideal system in that it provides rapid high-resolution images. The other system is the Kubtec XPERT 80 system that also provides high-resolution images but the longer imaging time of greater than 45 seconds would require more complicated anesthesia equipment and place the animals at higher risk.
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:** Flaxitron Bioptics, LLC, 3440 E Britannia Dr., Suite 150, Tucson, AZ 85706.
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:** Only one source is available, which meets our requirements. Should another brand provide a radiography system with the same features as the Faxitron UltraFocus 60 at a competitive cost we will consider them.
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.

Name Gregory A. Clines, MD, PhD
Title Attending Physician
Facility Ann Arbor VA Medical Center

July 31, 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.

Name
Title
Facility

Date

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

Name
Network Contract Manager
VISN/PCA X

Date

Title
Facility

- c. **SAO (If over 650K):** I certify the justification meets requirements for other than full and open competition.

Name
Director
Service Area Office, East

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.

Name
Chief 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)
Office of 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

Date

Deputy Assistant Secretary for Acquisition and Logistics

Senior Procurement Executive (SPE)

Department of Veterans Affairs