

## DEPARTMENT OF VETERANS AFFAIRS

### Sole Source Justification and Approval

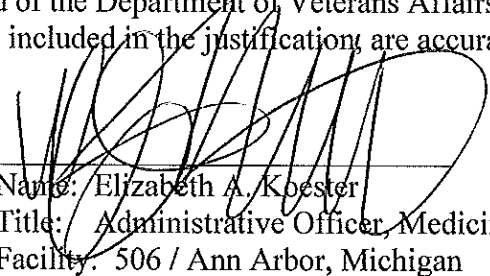
For

### Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, (506) VA Ann Arbor Health System, Ann Arbor, Michigan. The Medicine Service requires a product that requires Justification for Other Than Full and Open Competition for a necessary Transesophageal Probe (TEE). 506-14-4-118-1585
2. **Nature and/or Description of the Action Being Processed:** The VA Ann Arbor Healthcare System requests the purchase of 1 TEE Probe.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Disposable item(s): 1 X7-2t Transducer Value: \$28,000 (with turn in). Estimated delivery date: August 7, 2014. Philips Healthcare, 3000 Minuteman Road, Andover, MA 01810.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(g), as implemented by FAR 6.302-1:
  - ( ) (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 TEE Probe will replace our inoperable TEE Probe ee 48069.
  - a. *Medicine Service was notified by biomedical engineering that our TEE Probe has major damage which the manufacturer does not repair. They will be an exchange for the defective probe. If we do not receive a replacement probe immediately it will negatively affect patient care as we will need to start canceling patients and inconveniencing them.*
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 emergent nature of the request.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Medicine Service determined that the price of \$28,000 is considered to be

fair and reasonable based on the cost we paid in August 2008 PO B80004 (original purchase of ultrasound system) - \$222,514.00. The original price for this probe is \$55,000 and they are giving us a discount of \$27,000. 00 for the defective probe for a final cost of \$28,000.00.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Due to the urgent nature of the request, time did not permit for market research.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None particular to this solicitation/requirement.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Philips Healthcare
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:**  
None
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: Elizabeth A. Koester  
Title: Administrative Officer, Medicine  
Facility: 506 / Ann Arbor, Michigan

8-6-14  
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.

\_\_\_\_\_  
Name:  
Title:  
Network 11 Contract Office

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Name:  
NCM/Supervisory Contract Specialist  
Network 11 Contract 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

\_\_\_\_\_  
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  
Deputy Assistant Secretary for Acquisition and Logistics  
Senior Procurement Executive (SPE)  
Department of Veterans Affairs

\_\_\_\_\_  
Date