

**DEPARTMENT OF VETERANS AFFAIRS**

**\*EMERGENCY\***

**Justification and Approval**

**For**

**Other Than Full and Open Competition**

**1. Contracting Activity:**

Department of Veterans Affairs, VISN 4, VA Pittsburgh Medical Center. Biomedical Engineering has a requirement for the emergency repair of the Siemens Axiom Artis described in requisition number 646-14-4-066-0732.

**2. Nature and/or Description of the Action Being Processed:**

This is a request for Other Than Full and Open Competition for the repair of emergency an X-Ray Tube and installation the Siemens Axiom Artis. In accordance with VHA Procurement Manual repairs to equipment that may preclude impairment of healthcare delivery capabilities or mission performance are considered of an unusual and compelling urgency precluding full and open competition. The estimate for an X-Ray Tube and installation for this equipment is \$85,000.00.

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

Emergency repair of the Siemens Axiom Artis critical to patient care. Repair of this equipment is vital to hospital operations and if the repair is not completed timely the department will be unable to handle their current load of patients and impair healthcare delivery capabilities.

**4. Statutory Authority Permitting Other than Full and Open Competition:**

(x ) (2) Unusual and Compelling Urgency per FAR 6.302-2;

**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 services required are for repairs to the Siemens Axiom Artis which is vital to hospital operations. This VA Hospital has two of these devices so one being down reduces capacity by 50% which could lead to delays or cancellations of vital heart surgeries. This equipment is used to image the heart during heart surgeries. Up to eight (8) surgeries are performed daily with this equipment so one being down would dramatically reduce throughput for the lab. This unit being down for any period of time will cause delays and/or cancellations of vital diagnostic procedures for cardiac patients that could endanger patients' health and life. Siemens is the sole manufacturer of the proprietary X-ray tube required to affect this repair.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

In accordance with FAR 18.104 a synopsis will not be posted due to the Unusual and Compelling urgency of this requirement. Intent to sole source will be posted to the public in accordance with Federal Acquisition Regulation 6.302.

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

In accordance with FAR 13.302-2 (2)(i)(ii), an unpriced purchase order is authorized for repairs to equipment requiring disassembly to determine the nature and extent of repairs. In accordance with FAR 13-302-2 (c) The contracting office shall follow up on each order to ensure timely pricing. The contracting officer or the contracting officer's designated representative shall review the invoice price and, if reasonable, process the invoice for payment.

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

Due to the Unusual and Compelling nature of this requirement further market research was not conducted since repairs are required immediately to preclude the impairment of healthcare delivery capabilities. The services required are for repairs to equipment that are needed immediately to preclude the impairment of healthcare delivery capabilities and mission performance. Repair of this equipment is vital to hospital operations and if the repair is not completed, significant delays and/or cancellations of vital diagnostic appointments for cardiac patients will result.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

The services required are for repairs to Siemens Axiom Artis that are needed immediately to preclude the impairment of healthcare delivery capabilities and patient care.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: N/A**

**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:**

Full and Open competition will be provided for procurements not of an unusual and compelling urgency.



- 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.

*Aaron M. Barr*

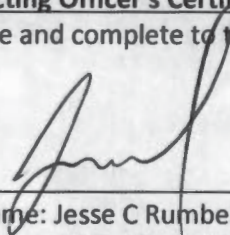
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Aaron M. Barr  
Program Support Assistant  
University Drive

August 8, 2014

Date

- 13. Approvals in accordance with FAR 6.304** *This part is filled out by Contracting Staff as part of the Justification*

- 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: Jesse C Rumbel  
Title: Contracting Officer  
Facility: NCO 4

8/11/2014

Date

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

*H F Byrns*  
\_\_\_\_\_  
Name: Herbert F Byrns  
Title: Deputy Director of Contracting  
Facility: NCO 4

8/11/2014  
Date