

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Louis A Johnson VA Medical Center 540-14-3-072-0072
2. **Nature and/or Description of the Action Being Processed:** Sole Source Firm Fixed Price Purchase Order for Alcon Phacoemulsification equipment.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
4. Centurion Vision System #8065751763 and Autosert IOL Injector hand piece # 8065751755
5. **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;
6. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The justification is based on the facility decision to standardize Phacoemulsification equipment and to purchase equipment that is compatible with the current ophthalmologic hand pieces. The justification of the sole source is also based on the fact that the manufacturer, Alcon, is the only vendor that can meet the requested requirements. Alcon Phacoemulsification equipment will ensure that the current hand pieces will be compatible. Clarksburg VAMC is standardizing cataract surgical equipment to commonly used Alcon models. Ophthalmology residents train and are accustomed to this same equipment. Consistency has been determined to be a key component to quality patient care.
7. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** FAR Part 13.106-3 will be utilized to determine price fair and reasonable. The anticipated pricing will be determined to be fair and reasonable, based upon comparison with pricing from recent orders that included many of the same items and catalog prices of the equipment. A final fair and reasonable determination will be made prior to award using data from these three recent acquisitions.
8. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** FSS-GSA, Internet, FedBid, FBO and other Contract officers desktops in eCMS were researched. Federal Supply Schedule vendors listed on FSA were searched and no companies were listed selling the requested equipment. The internet was searched by using google to identify potential vendors and only Alcon Laboratories was identified. FBO and Fed Bid identified an award

notice dated 9/20/2013 of one Centurion Vision System at the Birmingham VAMC. Sources sought were posted to FBO. Alcon does not have any authorized distributors.

9. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** NA
10. **Any Other Facts Supporting the Use of Other than Full and Open Competition** None
11. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** "See Section VI above."
12. **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
13. **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.

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03/20/2014

Jeff Swenski for
Chief, Surgical Services
Louis A. Johnson VA Medical Center

Date

14. **Approvals in accordance with FAR 6.304** *This part if 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.

Alison Klein
Contract Specialist
Louis A Johnson VAMC

8/12/2014

Date

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

Kristina Weir Supervisory Contract Specialist for
Louis A Johnson VAMC

Date