

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 II, Ann Arbor Medical Center, 2215 Fuller Road, Ann Arbor, MI 48105-2303 Justification For Other Than Full and Open Competition Sole Source Procurement of Service: Transaction #506-15-1-1527-0009, Transaction #553-15-1-139-0008, Transaction #515-15-1-091-0009, Transaction #655-15-113-0010
2. **Nature and/or Description of the Action Being Processed:** Service maintenance to GEMS MUSE software located at Ann Arbor Medical Center for contract period of 1 Oct 2014 thru 30 Sep 2015 under a firm-fixed price contract from GE Medical Systems Information Technologies, Inc., 8200 West Tower Avenue, Milwaukee, WI 53223.

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

Service Support Contract to provide telephone technical support, remote diagnostics and on site response 24 hrs. 7 days a week as needed for General Electric Medical Systems (GEMS) MUSE software system for the period 1 Oct 2014 thru 30 Sep 2015. Services include but are not limited to all aspects of the proprietary management software which includes upgrades during contract period. GE Medical Systems Information Technologies, Inc. is the proprietor of this software and is uniquely qualified to perform the service maintenance in a timely manner. The Ann Arbor Facility's estimated annual cost \$10,100.00, Detroit estimated annual cost \$10,100.00, Saginaw estimated annual cost \$10,100.00, and Battle Creek estimated annual cost \$10,100.00 for a total of \$40, 400.00.

4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 U.S.C. 3304, 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

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

a. Only One Responsible Source (FAR 6.302-1)

GE Medical Systems Information Technologies, Inc. is the only firm authorized to perform the preventative maintenance by trained certified technicians, with on-hand availability to specialized parts/ supplies, use of non-GE parts could affect system performance and functionality, and to provide the upgrades of the proprietary software for this highly specialized System. All software

upgrades and parts must be compatible with the current system located at each of the Northern Tier VA facilities. The GE MUSE system integrates data from diagnostic cardiology devices, HIS and EMR systems that runs on a server system that is housed at the Ann Arbor facility. This system also services study analysis and storage for VA Medical Centers at Detroit, Saginaw, and Battle Creek. The Veteran's Health Administration would experience a substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.

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

Biomedical Engineering was not able to secure third party sources for this work. The requested support services are of a proprietary nature. At this time no other sources exist capable of providing the services needed.

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

Due to the nature of the requirement the estimated costs are deemed fair and reasonable based on historical pricing such as P0#506-C21146 monthly amount \$982.04, 506-31019 monthly amount \$982.04, and 506-C41015 monthly amount \$982.04.

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

No market research was conducted this equipment contains proprietary software not available in the open market.

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:**

GE Medical Systems Information Technologies, Inc.  
8200 West Tower Avenue  
Milwaukee, WI 53223  
800-345-2700 x3404  
POC Jodi Poels  
Email: [Jodi.Poels@med.ge.com](mailto:Jodi.Poels@med.ge.com)

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:**

No actions are planned at this time.

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.

Adam Biddle  
Name Adam Biddle  
Title Biomedical Engineer  
Facility Ann Arbor VA

8-29-2014  
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  
Title  
Network 11 Contracting Office

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Name  
Director of Contracting/Supervisory Contract Specialist (as appropriate)  
Network 11 Contracting 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 (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)  
Assistant Secretary for 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