

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For

Other Than Full and Open Competition

1. **Contracting Activity:** This Justification for Other Than Full and Open Competition is prepared by the Department of Veterans Affairs Network Contracting Office 6 (NCO 6) on behalf of the Veterans Affairs Medical Center in Fayetteville, NC in support of Purchase Request No. 565-14-3-1019-0106, and 565-14-3-1019-0107
2. **Nature and/or Description of the Action Being Processed:** This justification provides the rationale for soliciting using a brand name only description for Olympus equipment. A competitive RFQ will be issued set aside 100% for small businesses. A firm fixed priced purchase order is planned with a required delivery date June 1, 2015 or later.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Video equipment is required to interconnect with the current Olympus GI and surgical scopes. The estimate value of the proposed action is \$178,630.00

0001	IS40770 Stream HD G3 Dual Channel Image Capture System w/DICOM (7 EA.)
0002	IS01401 Installation (1 JB.)
0003	OIS-MC-KVM, UCES Interface Kit w/Software (7 EA.)
0004	IS40290 Vaultstream Server Software Site Hosted (1 EA.)
0005	IS40470 Vaultstream Installation (1 JB.)

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

- ☒ Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- ☐ Unusual and Compelling Urgency per FAR 6.302-2;
- ☐ Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- ☐ International Agreement per FAR 6.302-4
- ☐ Authorized or Required by Statute FAR 6.302-5;
- ☐ National Security per FAR 6.302-6;
- ☐ 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 Fayetteville VAMC currently uses Olympus GI and surgical scopes. In order to maintain standardization between, the VAMC and the new Health Care Center (HCC), the Olympus brand is essential. Currently, there is no other brand compatible and interchangeable with Olympus medical equipment already being utilized. Features contained in the system are proprietary to Olympus; they are the sole manufacturer. Due to patient safety and cost efficiency, it is of the utmost importance to maintain standardization of equipment. Through extensive training and familiarization The Fayetteville VAMC staff has become competent in use of the Olympus brand equipment. Standardizing the Olympus brand will provide interchangeability of staff between the two facilities creating a more efficient and effective solution in terms of providing immediate patient care. The inclusion of another brand of equipment and retraining of staff on new

SOP Other Than Full and Open Competition

Original Date (3/22/2011)

equipment would far outweigh the cost to purchase the same brand of equipment currently in use. Accordingly, Olympus America is the only source capable of meeting the need without the Fayetteville VAMC experiencing substantial duplication of cost not expected to be recovered through competition.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** There are several small business distributors for the Olympus equipment. A competitive RFQ will be issued to ensure adequate competition.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Fair and reasonableness will be determined through competition.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research shows there are numerous companies with the capability to provide video equipment. However, there is no other company that can provide video equipment that is interoperable with the Olympus brand equipment already being used at the Fayetteville VAMC.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** All facts supporting this proposed action are included in this justification and Approval for Other than Full and Open Competition as outlined above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
 - Olympus America, One Corporate Drive, Orangeburg NY
 - World Class Marketing, 7014 Warwick Blvd, Newport News VA
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:** For future requirements and subsequent acquisitions of this type, in order to overcome any barriers to competition, market research will be used as a guide to determine whether or not the market for competition exists. The appropriate procurement strategy will then be determined and followed. The contracting agency will continue to monitor the market for the inception of other companies capable of meeting the requirement.

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.

Vicki Goblirsch

Vicki Goblirsch
Administrative Officer
Fayetteville Health Care Center

Date

8-14-14

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.

Jennifer J. Esparza

Jennifer J. Esparza
Contracting Officer
NCO-6

Date

8/31/14

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

Jeffery A. Benton
Jeffery A. Benton
Quality Assurance Compliance Officer
NCO-6

Date

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

Jennifer J. Esparza

Jennifer J. Esparza
Commodities Team Lead
NCO-6

Date

8/31/14