

Attachment 2: Request for Sole Source Memo Format

**DEPARTMENT OF VETERANS AFFAIRS**




**Justification and Approval**

**For**

**Other Than Full and Open Competition  
506-14-4-1527-0816**

1. **Contracting Activity:** *Department of Veterans Affairs, VISN XI, Ann Arbor Medical Center and Varian Medical Systems, for the purchase of software support of the Varis/Aria patient data management system and Eclipse treatment planning system.*
2. **Nature and/or Description of the Action Being Processed:**  
*Varian Medical will provide all software support of the Patient data management system application and Eclipse treatment planning system.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**  
*Varian Medical service is being requested for full implementation of the software and hardware to activate patient data management and treatment planning at the Ann Arbor Medical Center Radiation Oncology Service. This System is a vital part of Patient data management and treatment planning Safety and as such it is a unique tool part of Ann Arbor VA infrastructure. Varian Medical will provide all software support in accordance with the outlined quote at a total cost of \$157,569.00. Period of Performance is 9/22/2014 through 9/21/2015.*
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §253(g), as implemented by FAR 6.302 (1)/FAR 6.302.2(2)*  
  
*(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)**  
  
*Varian Medical is the only firm currently in existence that has the Software Support as described in Section III above. Any other software will cause delays, higher costs, duplication and a host of other issues in order to work with the Varian Linear Accelerator currently in place at VAMC Ann Arbor. The requested software system is proprietary and not available in open market or through competitors, at this time Varian is the only vendor set to meet the requirements of this agency. This software is necessary for planning and treatment of our veterans in the Radiation Oncology department any delays will directly affect our patient's mortality.*

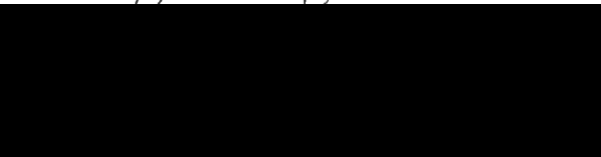
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *Biomedical Engineering was not able to secure third party sources for this work. The requested software system is of a proprietary nature and is set to meet the requirements of this agency. 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 services being requested the Quoted costs are deemed fair and reasonable based on market research for this type of system. Also past contracts with this vendor and its competitors were considered to arrive at a fair and reasonable cost.*
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** *Market research indicated only one source.*
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:** *None*
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:**
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:   
Title:   
Facility: VA Ann Arbor Medical Center

Date 8/1/14

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.



8/13/2014  
Date

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

  
Network 11 Contract Office

8/13/2014  
Date

- c. **SAO(If over \$500K):** 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 \$10 million) or approve (\$500K to \$10 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 \$10 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