

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veteran Affairs, VISN 10, Cleveland VAMC, Surgery Service, Network Contracting Office (NCO) 10, Justification for Other than Full and Open Competition. Transaction: 541-14-3-250-0375
2. **Nature and/or Description of the Action Being Processed:** NCO 10 proposes to issue a one-time, firm-fixed price, purchase order to Metro Medical using other than full and open competition procedures.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Department of Veterans Affairs, VISN 10, Cleveland VAMC, Surgery Service has a requirement for a Diego Elite Power Debrider. This Debrider is required to be compatible with BrainLab's navigation system that is currently being used at the Medical Center. Olympus America is the manufacturer and Metro Medical is a small business that distributes for them and this product. The estimated value is \$33,278.00 with delivery being 15 days ARO.

Manufacturer/Description/Part/Model Number*	Qty
MDCONS100:DIEGO ELITE POWER CONSOLE	1
MDFS100:DIEGO ELITE FOOTSWITCH	1
MDHP100A:MULTIDEBRIDER HANDPIECE ANGLED	3
MDHPTRAY:MULTIDEBRIDER HANDPIECE STERILIZATION TRAY	3

4. **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;
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 Department of Veterans Affairs, VISN 10, Cleveland VAMC, Surgery Service currently uses Olympus Diego products. The previous version of this product has reached of its product life cycle. This purchase is necessary because our current equipment is outdated, malfunctioning, and needs to be replaced. The Olympus Diego Elite provides multiple ways to do surgery including the use of bipolar and monopolar blades. It also combines superior dissection, ergonomic comfort, and bipolar hemostasis. Medtronic and Karl Storz Microdebridement systems were both considered. However, Olympus is the only company that is compatible with our navigation system by BrainLAB.

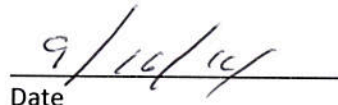
Accordingly, Metro Medical is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Intent to sole source was posted on FBO from August 28, 2014 through September 4, 2014 with no inquiries.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** By comparison to the Government's IGE and past purchases, 541-A95459, the Contracting Officer has determined the anticipated cost to the Government will be fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A search was conducted on NAC/GSA and VA Advantage and no vendor was found that could deliver the supplies. A search on the internet did not find any similar products.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Currently, Olympus America's Diego Elite Power Debrider is the only Debrider combatable with BrainLab's navigational equipment currently owned by the facility.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Olympus America, Inc.-Large Business
Metro Medical-Authorized Small Distributor for Olympus
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:** An extensive search was done to see if there were any other companies that can comply with the brand name or equal specifications to no avail. On-going research of the industry market place will be conducted to determine if there are new entrants into this product arena.
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.



William Precht
COR
VISN 10/Cleveland VAMC


Date

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.

Thomas Moore

Thomas P. Moore
Contracting Officer
NCO 10

Digitally signed by Thomas Moore
DN: cn=Thomas Moore, o, ou=NCO 10,
email=thomas.moore9@va.gov, c=US
Date: 2014.09.05 19:09:43 -04'00'

Date

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

lonnie.winkler@va.g

OV

Terry Spitzmiller
Director of Contracting
NCO 10

Digitally signed by
lonnie.winkler@va.gov
DN: cn=lonnie.winkler@va.gov
Date: 2014.09.06 05:20:49 -04'00'

Date