

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 11, (553) Detroit VAMC, Detroit, Michigan. The Biomedical Engineering Service requires a service that requires Justification for Other Than Full and Open Competition. This is to award a service contract (maintenance agreement) to Siemens Medical Systems (2237#553-15-1-139-000):
2. **Nature and/or Description of the Action Being Processed:** Siemens will provide emergency and nonemergency service repairs/replacement to the sub equipment, attachments, and software (as specified in Maintenance Agreement. Firm Fixed Price Acquisition being request for service and maintenance for Siemens medical equipment:

Product	Serial
CLINITEK ATLAS	110964
SYSMEX UF-100	A1449
AUW	A1156

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Service agreement is required to maintain the urine analyzer that consists of the Atlas Urine Analyzer. Service includes onsite PM, service, and tech support on the Siemens urine analyzer system which includes the following components:

Product	Serial
CLINITEK ATLAS	110964
SYSMEX UF-100	A1449
AUW	A1156

Siemens Healthcare Diagnostics, PO Box 6101, Newark DE 19714. Period of Performance: October 1, 2014 through June 30, 2015. Total: \$14,922.00.

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(g), as implemented by FAR 6.302.

- (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):

- a. Only One Responsible Source:* The Urine analyzer System is manufactured by Siemens, and repair to equipment and software are proprietary to the manufacturer. The services are needed to ensure that we are able to continue to maintain cancer treatment workflow and avoid long delays and rescheduling of patients if units are not consistently functional and well-maintained.

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 services are of a proprietary nature and the specialized equipment 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: The anticipated cost will be considered fair and reasonable based past history with this company. The VA has negotiated across the VA, and a cost is \$14,922.00 for all the listed equipment. The PO from last year is 553-C40056 for a total of \$19,780.00.

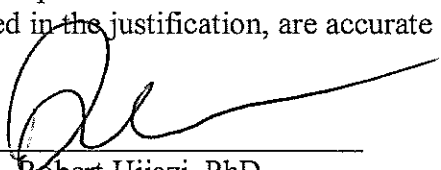
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: No market research was conducted as this equipment contains proprietary software that is not available in the open market.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None particular to this solicitation/requirement.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: Siemens Healthcare Diagnostics, PO Box 6101, Newark DE 19714

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:
none. This original acquisition was negotiated at the national level. Competition may occur only on replacement.

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: Robert Hijazi, PhD
Title: Biomedical Engineering
Facility: John D. Dingell, VAMC – Detroit

Sept 8, 2014
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.

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