

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 10 Network Contracting Office, Louis Stokes Cleveland VA Medical Center, Research Department, has prepared this document to serve as the "Justification for Other Than Full and Open Competition" for Purchase Request # 541-14-3-2421-0433.

2. **Nature and/or Description of the Action Being Processed:** The purpose is a new fixed-price sole source action awarding a purchase order to "Natus Neurology Incorporated" for electrical stimulators & accessories.

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

This requirement is for Natus Neurology Incorporated to supply us with S88X Dual Output electrical stimulators (2 EA), Stimulus Isolation Units for constant current (4EA), Stimulus Isolation Units for constant voltage (4EA) and rack mount brackets (2EA). Some of the key features that the electrical stimulators provide are the ability to produce constant 0.3mA square wave currents that are 20Hz in frequency and 0.1ms in duration. Other key factors are that this system is dual output and is able to provide bipolar stimulation.

The quoted cost for these units is \$20,900.00.

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;

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

We currently own a S88 stimulator and have used it in all of our preliminary work for our newly funded grant. We have also started using it in our current project. Due to the amount of animals we need to test with the stimulators, we are requesting 2 more units. It is important that we use the same company and instrument in order to directly compare our new results with our results in the recent past. Even if we could find an electrical stimulator from another vendor that meets all of our criteria (which we haven't been able to find), we would still have to spend months of time and money to validate the new equipment.

Some key features that we could only find on the S88X stimulator are that it is dual output and it can produce bipolar stimulation. Both of these are necessary for our experiments. Every animal that we use in the experiment needs 2 inputs (there are 2 implanted electrodes/animal), so the dual output function of the S88X stimulator is crucial in order to get even, simultaneous stimulation.

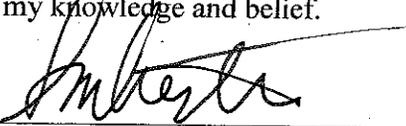
Another key function that we were only able to find on this system is the ability to have bipolar stimulation – stimulation from the positive electrode to the negative electrode and then from the negative electrode to the positive one. All other stimulators we looked at could

only produce current from one electrode to the other. We find this feature important because we believe bipolar stimulation produces less scar tissue.

So, between the facts that we have used the S88X in past and current experiments, and that this is the only stimulator we could find that met our criteria, we believe that getting the S88X electrical stimulator from Natus Neurology is the only option.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** End-user conducted internet searches for scientific journal articles about electrical stimulation and instruments required. The requirement was defined by trends in the medical research field, S88 from Natus Neurology/Grass Technologies.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The cost of the required equipment with accessories for the Stimulus Isolation units is considered to be fair and reasonable. The quote received from the recommended vendor "Natus Neurology Inc., is consistent with current open-market pricing.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** End-user did internet searches for other possible electrical stimulators and found two organizations / companies that provide electrical stimulators: Natus Neurology and AD Instruments. AD Instrument's salesperson stated they had limited dual output stimulators. Of the stimulators carried by AD Instruments (dual output) they are not capable of bipolar stimulation.

Natus Neurology is the only company that we could find that offered an electrical stimulator; model S88X, which will meet all of our needs (dual output & capable of bipolar stimulation).
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:**
State "See Section VII above."
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:** In order to remove or overcome barriers to competition in future acquisitions for this requirement, the Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be fully competed.
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.


Stephen Kesterson
RESEARCH COR
Louis Stokes Cleveland VA Medical Center

9/19/14
Date

13. **Approvals in accordance with FAR 6.304** This contract action does not exceed \$650,000, the certification below required by FAR 6.303-2(b) (12) services as approval.

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

jason.lawson@va.gov

Jason E. Lawson
Contracting Officer
Network Contracting Office (NCO) 10

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Date

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

Terry Spitzmiller
Director of Contracting
Network Contracting Office (NCO) 10

Date