

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval  
For  
Other Than Full and Open Competition**

- 1. Contracting Activity:** The U.S. Department of Veterans Affairs, Amarillo Contracting Office, Network Contracting Activity 18, located at 7201 I-40 West, Suite 100, Amarillo TX 79106 proposes to enter into a firm-fixed price contract on the basis of justification for other than full and open competition (OTFOC) for the VA El Paso Healthcare System, Network Contracting Activity 18, located at 5001 N. Piedras Street, El Paso, Texas 79930. The 2237# is 756-15-1-045-0004.
- 2. Nature and/or Description of the Action Being Processed:** Procurement of maintenance and repair services for GE Healthcare MUSE, MARS and CASE systems utilized at the El Paso VA Health Care System (EPVAHCS) located in El Paso, Texas.
- 3. Description of Supplies/Services Required to Meet Agency's Needs:** Annual maintenance and repair of the GE Healthcare MUSE, MARS and CASE systems which is vital to Cardiology Services in the diagnosis and treatment of patients at the EPVAHCS. The systems consist of multiple servers and workstations that communicate patient studies from Cardiology to be viewed in the Computerized Patient Record System (CPRS) for EKGs, Holter Monitors, Stress Tests, and Stress Echo Tests. Without the MUSE systems, cardiology patient studies could not be performed or available in CPRS.
- 4. Statutory Authority Permitting Other Than Full and Open Competition:** IAW FAR 6.302-1 -- Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements: per FAR 6.302-1.

  - (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 6.303-3;
  - ( ) (4) International Agreement per FAR 6.304-4;
  - ( ) (5) Authorized or Required by Statute per FAR 6.304-5;
  - ( ) (6) National Security per FAR 6.304-6;
  - ( ) (7) Public Interest per FAR 6.304-7;
- 5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** GE Healthcare has proprietary software, patents and intellectual properties rights that are only specific to GE Healthcare employees that are related to the service technologies that are required during PM's and repairs. Each manufacturer of all major equipment components that are at VA facilities must also create interfaces to ensure that all equipment connects with the current VA's Veterans Health Information Systems and Technology Architecture (Vista). This interface is a key component of the physician/patient technological relationship in terms of patient care plans and is proprietary to specific contractors that provide equipment to VA medical facilities. GE Healthcare currently has this interface, which is proprietary in nature, throughout all facilities that use their equipment. No other contractor can perform preventative maintenance on GE Healthcare equipment without accessing key areas of the proprietary software used.

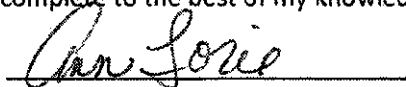
requirements. The Government's minimum requirement for schedule and technical capability for this service is satisfied only by GE Healthcare.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** Continued utilization of the GE MUSE systems currently in place will eliminate the need for additional capital outlay to replace the current cardiology systems. In addition, continuity of equipment also represents a continuity of service to EPVAHCS and VISN 18 standardization.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** GE Healthcare

**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:** The proposed contract is a recurring type proprietary purchase/service. This action currently allows the VA El Paso Healthcare System to continue these services uninterrupted. Due to above, the NCO is unable, at this moment, to compete the requirement concerning future endeavors. However, the local acquisition team will necessitate its due diligence and continue to perform expanded market research with the internet tools readily available to provide the latest changes, if any, for current market conditions.

**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 are accurate and complete to the best of my knowledge and belief.

  
Ann Lorie  
Biomedical Equipment Support Specialist  
El Paso VAHCS

  
Date

**13. Approvals in accordance with FAR 6.304:** IAW 6.302-1, Only one responsible source and no other supplies or services satisfy agency requirements, Authority granted by 41 U.S.C. 253(c)(1) – the application, limitations and period of performance concerning this sole source procurement for the Cardiology Maintenance and Repair at the VA El Paso Healthcare System in El Paso, TX has been met.

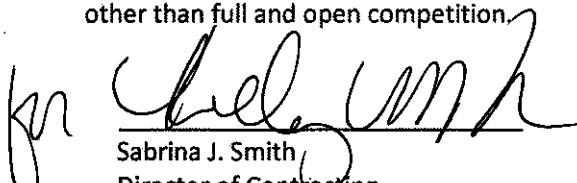
a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

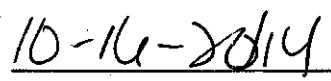
daniel.thiel@va.gov Digitally signed by daniel.thiel@va.gov  
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Date: 2014.10.09 14:51:51 -0700

Daniel Thiel  
Contracting Officer  
SAOW/NCO-18 Contracting

Date

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

  
for Sabrina J. Smith  
Director of Contracting  
Network Contracting Office 18

  
Date