

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The estimated cost of \$11939 is considered fair and reasonable based on past purchases of the same or similar services (PO 553-C40161 - \$11,939.00) and according to the pricing made available by Olympus America to the general public.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section VI above, market research could not be conducted as Olympus America is the only available source for this repair
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:** See Section VI 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:**  
Continue to survey the market for any other sources for this type of repair for all future needs once we no longer lease these scopes from Olympus.
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 Jeffrey Clingerman  
 Title Medical Equipment Repairer  
 Facility Detroit

\_\_\_\_\_  
 Date 11/16/12

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: Kellie Konopinski  
 Title: Contract Specialist  
 Facility: Ann Arbor

\_\_\_\_\_  
 Date

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

\_\_\_\_\_  
 Name James J Hallock  
 Network Contract Manager  
 VISN/PCA 11  
 Title Supervisory Contract Specialist  
 Facility Indianapolis

\_\_\_\_\_  
 Date

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, John D Dingell Medical Center. Justification for Other Than Full and Open Competition for the repair of a scope from Olympus America, 2237 #553-15-1-138-0077, for an estimate of \$11939.
2. **Nature and/or Description of the Action Being Processed:** Repair of Olympus WA50052A, serial #614103. This is a new contract action and is firm-fixed-priced
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Re-manufacture to Olympus specifications WA50052A, serial #614103. Damage to lens and connector not covered by warranty. Period of Performance: November 10, 2014. Estimate: \$11,939.00. Olympus Corp., PO Box 7118, San Francisco, CA 94120.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - (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 scope requiring repairs is a leased Olympus scope and can only be repaired/services by Olympus America. The lease of this equipment is under contract, but the repair of this scope is not. In order to return this scope to patient care services this repair is necessary. Olympus does not authorize any other vendor to repair scopes that are on lease to government or commercial entities. "Accordingly, Olympus Corporation is the only firm capable of providing the supplies and services described in Section II above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements."
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** As Olympus America is the only vendor able to perform these repairs, no other market research was conducted.