

DEPARTMENT OF VETERANS AFFAIRS

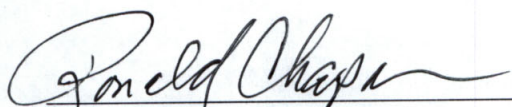
Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, Battle Creek VA Medical Center, Justification for Other Than Full and Open Competition to Johnson & Johnson, to provide preventative and service maintenance on two Sterrad NX Systems. Purchase Request 515-15-1-091-0088.
2. **Nature and/or Description of the Action Being Processed:** This is a request for a new firm-fixed price purchase order for Johnson & Johnson (425 Hoes Lane, PO Box 6800, Piscataway, NJ 08855-6800) to provide preventative and service maintenance on two Sterrad NX Systems.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This request is to provide preventative and service maintenance on two Sterrad NX Systems. The period of performance is one year from award date (12/15/2014-12/14/2015). The cost is \$17,208.80.
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):** Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1: Johnson & Johnson has the right to proprietary parts, equipment and software needed to support the model Sterrad NX systems located at the medical center. Only Johnson & Johnson has access to the needed parts, equipment and software to provide the needed and appropriate level of support.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Johnson & Johnson is the only vendor able to perform these services therefore no other market research was conducted.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The quoted price of \$17,208.80 is deemed fair and reasonable based the independently calculated IGCE of \$17,208.80 as well as commercial price lists of services available 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:** Johnson & Johnson is the only vendor able to perform these repairs therefore no other market research was conducted.
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:** Johnson & Johnson (425 Hoes Lane, PO Box 6800, Piscataway, NJ 08855-6800).
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 all future requirements in an effort to locate other sources for this service.
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.



Ronald Chapman
Biomed Supervisor
Battle Creek VA Medical Center

12/15/2014
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.

Brooke Hansen
Contract Specialist
Network 11 Contracting Office

Date

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

James J. Hallock
Supervisory Contract Specialist
Network 11 Contracting Office

Date