

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, C.W. Bill Young VA Medical Center Engineering Service (138), 516-15-2-2071-0459
2. **Nature and/or Description of the Action Being Processed:**
This request is for other than full and open competition for one (1) GE Medical Performix PRO VCT 100 X-Ray tube, part D3194T. This request is for a new, firm fixed price contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
One (1) GE Medical Performix PRO VCT 100 X-Ray tube, part D3194T is required to repair down equipment. This machine is used on a daily basis for patient care. While the machine is out of operation it will require that a large number of emergent and scheduled veterans be re-scheduled. The total estimated value of the contract is \$161,650.00. The delivery date is within 24 hours as this is an emergency request needed to prevent the delay of Veteran care.
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):**
In accordance with (IAW) Federal Acquisition Regulation (FAR) 6.302-2 the GE Medical Performix PRO VCT 100 X-Ray tube is needed to perform essential equipment repairs at once to preclude impairment of healthcare delivery capabilities and mission performance. The required part is necessary for immediate repair of the GE Healthcare Discovery XR650 X Ray machine. The system is currently out of service and must be repaired immediately to avoid delay of patient care. This machine is in operation during business hours and off hours and is used to obtain detailed diagnostic images for diagnosis and treatment planning. Not obtaining the necessary equipment and failing to complete the required repairs will result in serious injury to the Government both in increased costs associated with sending Veterans to outside sources for required immediate care and in damages associated with the adverse impact to Veteran care. Patients are currently being re-scheduled and will continue to be until this machine is back in operation. Re-scheduling patients for critical

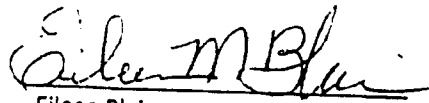
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diagnostic testing will result in delay of diagnosis and/or treatment. Delay of diagnosis has the potential to be life threatening. Having this machine in operation is critical to patient care.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
This acquisition has unusual and compelling urgency that does not allow time to solicit for competition. IAW FAR 5.202(a)(2) the Contracting Officer need not submit the notice to the Government wide Point of Entry (GPE) when the proposed contract actions is made under the conditions described in FAR 6.302-2 and the Government would be seriously injured if the agency complies with the time periods specified in FAR 5.203. Competing this acquisition would result in unacceptable delays in fulfilling its requirements, lead to increased costs of care, and adversely impact Veteran care and the fulfillment of the VA mission.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
IAW FAR 13.106-3(a) the price of the CT X-Ray Tube is \$161,650.00 and is determined to be fair and reasonable based on market research and a previous purchase made to Philips Healthcare PO#516A40567 on 8/22/2014 for \$167,400.00 CLIN #1 for a CT X-Ray Tube.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**
Due to the emergent need for this equipment market research was limited to an examination of the acquisition history and experience with the marketplace under previous acquisitions for similar items. Previous acquisitions for similar items and for other items needed to repair equipment purchased from General Electric have always been made available through General Electric.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
This is an emergent repair and full and open competition would cause lengthy delays that would adversely affect patient care and cause patients to be re-scheduled or sent to outside sources for the procedure at an increased cost to the Government. Delaying this procedure causes a delay in diagnosis and treatment planning. In certain cases a delay in diagnosis can be life threatening.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
None, See Paragraph 6 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:** This is an emergency order. The C.W. Bill Young VA Healthcare System follows Federal Acquisition Regulations and strives to be fair and equitable by publicizing potential procurements when emergent circumstances do not exist. Additionally, IAW FAR 5.301(d)(1) this justification will be posted to the GPE IAW FAR 6.305. Posting this justification will afford vendors the opportunity to view the justification and provide information which may remove future barriers to competition for the purchase of these items.
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,

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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.



Eileen Blair

Supervisory Biomedical Equipment Support Specialist
C.W. Bill Young VA Medical Center – VISN 8

03/13/2015

Date

13. **Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP**

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

james.roberts2@va.gov
gov

Digitally signed by
james.roberts2@va.gov
DN: cn=james.roberts2@va.gov
Date: 2015.03.18 12:23:51 -0400

James Roberts
Contracting Officer
C.W. Bill Young VAMC

Date

- b. **Director of Contracting/Designee (Required \$150K and above):** I certify the justification meets requirements for other than full and open competition.

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DDOC/Commodities

Date