

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

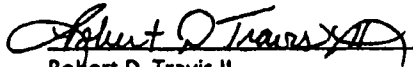
Other Than Full and Open Competition

1. **Contracting Activity:** This justification for Other Than Full and Open Competition is prepared by the Department of Veterans Affairs Network Contracting Office 6 on behalf of the Veteran Affairs medical Center in Salisbury in support of 659-15-3-930-0187/659-15-3-931-0203.
2. **Nature and/or Description of the Action Being Processed:** This justification provides rationale for soliciting using a Brand Name Only description for the FBS – 502TMXL FibroScan System for standardization with existing equipment. A competitive RFQ will be issued. A firm fixed price Purchase Order is planned with a required delivery date of January 15, 2016.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** FibroScan is used in clinical management of patients with liver disease by assessing liver shear wave speed and equivalent stiffness at 50Hz in a rapid, simple, non-invasive and totally painless way. Purchase of the following items: FibroScan 502 Touch with M+ and XL+ Probes, 2 each; Comprehensive Service Agreement, 2 each and Canon Image Class LBP7660 printer compatible with the FibroScan 502. The total value of this acquisition is [REDACTED]
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):**

Medicine service has a need for an additional FibroScan at the Kernersville/Charlotte HCC location. This equipment is used in the diagnosis and staging of conditions of the liver and is needed in order to meet the increased demand for services from a growing number of Veterans being served by the Salisbury VAMC across her sites of care. Brand name only is being requested in order to standardize with existing equipment, which is clinically important so that providers are utilizing the same equipment across different sites of care and so that the results of the test are directly comparable.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A sources sought notice was posted May 6 thru 11, 2015 seeking potential sources of the FibroScan 502 System. As a result a competitive RFQ will be posted, as a 100% set aside for SDVOSB.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Price will be determine fair and reasonable based on competition.
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: See item 6.
9. Any Other Facts Supporting the Use of Other than Full and Open Competition: All facts supporting this proposed action are included in this justification per FAR 6.302-1(b) Brand Name description is being used for this procurement for standardization with existing FibroScan equipment
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:
[REDACTED] and [REDACTED]
[REDACTED]
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:
Prior to any subsequent acquisitions for these items, market research will be performed to ensure that competition is sought to the maximum extent practicable.

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.

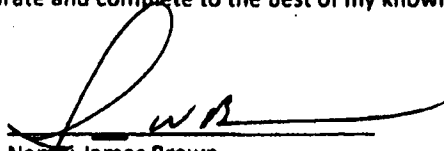


Robert D. Travis II
Administrative Officer, Medicine Service
Salisbury VA Medical Center

18 May 2015
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.



Name: James Brown
Contracting Officer
Network Contracting Office 6

Date

- b. **NCO 6 Quality Assurance Compliance Review (required \$3K and above):**

JEFFERY A. BENTON
538499

Jeffery A. Benton
Quality Assurance and Compliance Officer
Network Contracting Office 6

Digitally signed by JEFFERY A. BENTON 538499
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=jeffery.benton@va.gov, cn=JEFFERY A.
BENTON 538499
Date: 2015.05.18 13:21:53 -04'00'

Date

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

Darryl T.

Person

Brand Chief, Commodities Team 1
Network Contracting Office 6

Digitally signed by Darryl T. Person
DN: cn=Darryl T. Person, o=NCO 6,
ou=VA,
email=Darryl.T.Person@va.gov, c=US
Date: 2015.05.18 13:01:27 -04'00'

Date