

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition (Brand Name Only)

1. **Contracting Activity:** Department of Veterans Affairs, VISN, 06 on behalf of the Salisbury NC Veterans Affairs Medical Center and Kernersville NC HCC. Purchase request number 659-15-3-930-0206
2. **Nature and/or Description of the Action Being Processed:** This Justification provides the rationale for soliciting using a brand name only description for Olympus equipment for the Kernersville NC Health Care Clinic (HCC) surgery department. The equipment has to be compatible with Olympus Bronchoscopes, Laryngoscopes, Colonoscopes, Gastrosopes, Laparoscopes, Cytoscopes, and leases Olympus endoscopes as per VHA DUSHOM Memorandum "VHA National Standardization of Endoscopes" dated 12/06/2010. The current demand for the technology exceeds current capability in the operating Room suites. A competitive Request for Quote (RFQ) will be issued as a total small business set aside posted on Federal Business Opportunities (FBO). A firm fixed priced purchase order is planned with a delivery no later than January 01, 2016.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
CV-190 Evis Exera III Video Processor System with components. Estimated cost is
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):**
In response to the policy issued on 06 December, 2010 by the Deputy Under Secretary for Health for Operations and Management, VISN 6 standardized a single endoscope manufacturer, Olympus America Inc. for all endoscopic equipment (processors, monitors, and light sources). Endoscopic scopes connect to the processor and only Olympus products can interface with the system. This operating system is the best option as the physicians and staff is familiar with the current system at Salisbury and they will work between the Salisbury facility and the Kernersville facility.

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 to Federal Business Opportunities under notice number VA246-15-Q-0303 from April 24, 2015 through April 28, 2015. Five responses were received from small businesses stating they could meet the posted requirement.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Fair and reasonable pricing will be based on competition received from the solicitation or any discounts that will be provided to the government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Some of the items were located on GSA Advantage however the majority of the items were not on GSA Schedule and is considered open market. None of the small businesses that responded has the items on FSS schedule.
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 and Approval for Other than Full and Open Competition.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** ProAim America, AZ2 Supply Corp, Alliam Healthcare, M&D Medical and Olympus.
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:** For future requirements and subsequent acquisition of this type, in order to overcome any barriers to competition, market research will be used as a single guide to determine whether or not the market for competition exists.

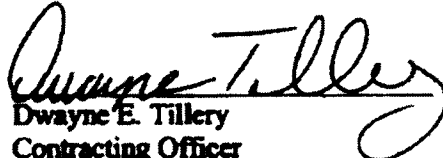
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a **Bona Fide Need** of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Stephanie Stephens
Stephanie Stephens
NC Nursing Service
VAMC Salisbury

Date 30 April 2015

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

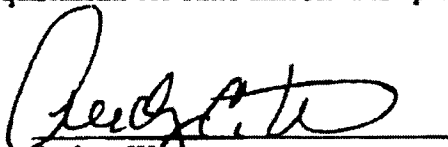
- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Dwayne E. Tillery
Contracting Officer
Facility: Fayetteville VAMC

Date

8/12/2015


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


Audrey Wooten
Branch Chief, Commodities
Facility: Hampton VAMC

Date

8/17/2015

- c. **Division 1 Chief/Designee (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.


Shauna Thomas
Division Chief, Commodities
Facility: Hampton VAMC

Date

8/17/15

- d. **Quality Assurance Review:** I certify that the forgoing justification meets all of the requirements for other than full and open competition.

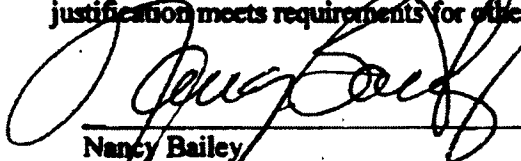
JEFFERY A.
BENTON 538499

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: 2015.08.17 10:37:53 -04'00'

Jeffery Benton
Quality Assurance and Compliance Officer
NCO 6

Date

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


Nancy Bailey
NCO 6 Director of Contracting
Facility: Hampton VAMC

Date

8/17/2015

- f. **HIGHER LEVEL APPROVAL (Required For orders over \$650,000):**

SAO: I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

TERRY L.
SPITZMILLER 394683

Digitally signed by TERRY L. SPITZMILLER 394683
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=terry.spitzmiller@va.gov,
cn=TERRY L. SPITZMILLER 394683
Date: 2015.08.22 11:46:38 -04'00'

Terry L. Spitzmiller
SAO East Director (Acting)

Date

8/22/15

- g. **VHA HCA REVIEW AND APPROVAL (over \$650,000 to \$12.5 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4


Norbert S. Doyle
VHA Head of contracting Activity (HCA)

Date

8/24/15