

JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1
(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements ***explaining the absence of competition*** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. PURCHASE REQUEST OR REQUISITION NUMBER:

580-16-1-167-0046

**1A. PROJECT/TASK
NUMBER**

1B. ESTIMATED AMOUNT:

\$32K

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

The Michael E. DeBakey VA Medical Center (MEDVAMC) is currently requesting 1 Malis Bipolar for the new neurosurgery hybrid operating room.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

The Codman Malis Bipolar is the only one of it's kind. It is a bipolar electrosurgical generator that is made specifically for neurosurgery cases.

The Codman Malis Bipolar is **patented, proprietary technology** that is owned by Johnson and Johnson. It provides better quality and more precision to stop coagulate blood during neurosurgery cases like external carotid-internal carotid bypass and tumors. **No other company today can offer this special technology to customers** – even if their products claim to be using the same technology.

4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:

The Codman Malis Bipolar system uses proprietary technology that no other company has available. This product is the only product that uses dual wave waveform technology, precision controlled power and irrigation in one machine, and dedicated CUT and COAG knobs to facilitate quick setting changes during surgery.

5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

An internet search and consult with the OR nurse manager and was conducted and no other vendors were found to have the capability of meeting the agency's need for this specific and specialized equipment.

6. Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: _____

Date: 12/10/15

Name: PAUL FILHIOL

Title: Contracting Officer

Facility: NCO 16 DIV III Sup C SHR 667