

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:**

*Department of Veterans Affairs, Network-23 Contracting Office, 708 South Third Street, Minneapolis MN 55415. Ref: 2237# 618-16-1-4002-0022 (vendor: Medtronic, use vendor #52415)*

2. **Nature and/or Description of the Action Being Processed:**

*Minneapolis VA Health Care System (MVAHCS) requests that other than full and open competition procurement procedures be used in order to establish a sole source contract with Medtronic, 710 Medtronic Pkwy, Minneapolis, MN, for technical support with the Medtronic Stealth Navigation System. A purchase order will be awarded on a sole source basis for the technical support of the VA owned Medtronic Stealth Navigation System to assist with complex spine cases. This service is required for patient safety.*

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

*The Minneapolis VA Healthcare System (MVAHCS) has a requirement for the provision of services of Computer Assisted Surgery Specialist (CASS), also known as a Certified Surgical Technician/Equipment Specialist (CST), to provide technical support for VA Surgeons when they are performing complex neurology, spinal and ENT surgical procedures using the VA owned Medtronic Stealth Navigation System. The surgery specialist will provide their technical expertise and guidance in using the Stealth Navigation System assisting surgeons with navigation solutions for complex computer-assisted surgical procedures in order to maximize patient safety. Period of Performance: Services are required for a 12-month base contract period with one 12-month option period. Total IGCE (Base + Option Period) = \$998,400.00.*

4. **Statutory Authority Permitting Other than Full and Open Competition:**

*Only one responsible source and no other supplies or services will satisfy agency requirements per FAR 6.302-1.*

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

*Medtronic is the manufacturer and sole supplier of Computer Assisted Surgery Specialists that are trained and certified to provide technical support for use of the Medtronic Stealth Navigation System. Medtronic holds a patent on this system and no other company has access to their proprietary information.*

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

*No additional sources were solicited for the service. Past market research has established that Medtronic is the manufacturer and sole provider of technical staff to assist in the operation of their equipment.*

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

*Price has been determined fair and reasonable due to past procurement and market research. Price is concurrent with prices paid in recent history and with Medtronic's printed suggested price list for these services.*

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

*The Stealth Navigation System was purchased from Medtronic and installed in the O.R. at the Minneapolis VA Medical Center by Medtronic. The system is proprietary and per past market research conducted it has been established that technical support is not available from any other vendor. A search was made of GSA eLibrary; and dsbs.sba.gov websites and other internet searches for potential sources and none were found.*

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

*The selected source has historically provided this service.*

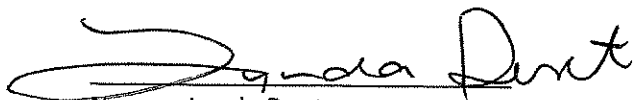
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

*None.*

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:

*The Minneapolis VAHC has prepared and submitted a procurement package to NCO23 requesting that an IDIQ contract be established for these services.*

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.*



Name: Lynda Dent  
Title: AO SSC PSL  
Facility: MVAHCS

1/27/16  
Date

**13. Approvals in accordance with FAR 6.304:** *This part if filled out by Contracting Staff as part of the Justification.*

- 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: Daniel Vagts  
Title: Contracting Officer  
Facility: NCO 23, Minneapolis, MN

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Name: Charles Hurry  
Title: Branch Chief  
Facility: NCO 23, Minneapolis MN

\_\_\_\_\_  
Date

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

02/03/2016

\_\_\_\_\_  
Name: Daryl A. Berg  
Title: Director of Contracting  
Facility: NCO 23, Minneapolis MN

\_\_\_\_\_  
Date

- d. **NCM/PCM (Required \$3K and above):** I certify and approve this justification for other than full and open competition.

\_\_\_\_\_  
Name: Randy Hays  
Title: Acting SAO Central Director, VHA  
SAOC Head of Contracting Activity  
Facility: NCO 23, Minneapolis MN

\_\_\_\_\_  
Date