

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other than Full and Open Competition

- 1. Contracting Activity:** Department of Veterans Affairs
Network Contracting Office 2
1304 Buckley Road Suite C104
Syracuse, New York 13212-4311

Requestor: VISN 2 Stratton Albany VA Medical Center
113 Holland Avenue, Albany, NY 12208-3410
Purchase Request: 528-16-1-8803-0007
Source: Elekta, Inc.

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

This is a request for other than full and open competition for the procurement of preventative maintenance services including all supervision, tools, equipment, labor, and materials necessary to provide full software maintenance and on-call emergency support services, including software upgrades, service bulletins and alerts, telephone, email, and online support to be provided by Elekta, Inc., 4775 Peachtree Industrial Blvd., Suite 300, Norcross, GA 30092 for the Stratton Albany VA Medical Center Radiology Clinic. The preventative maintenance service, equipment inspections and proprietary software updates will be performed on the Elekta XiO RTP Radiology/Oncology unit, and shall be conducted by trained and OEM certified Elekta technicians to maintain the medical equipment in accordance with current OEM manufacturer specifications and operating conditions. The proposed contract action will be for a firm fixed-price contract from October 1, 2015 to September 30, 2016 with four option years. The base year cost is \$29,194.20 and total contract value is \$161,316.36.

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

The Albany VA Medical Center Radiology/Oncology Clinic has a requirement for a preventative maintenance service contract including software and product updates at no additional charge, unlimited technical support, two-day emergency response service and up to two preventative maintenance visits to maintain the Elekta XiO RTP IAW the OEM's recommended specifications.

EQUIPMENT LIST:

Assurance 2.0 XiO Main Workstation
Assurance 2.0 XiO Additional Workstation
FocalPro – Software Support only
FOCAL – Hardware Support only

XiO (HP FF825AV) Z800 Radiation Therapy Planning System Workstation RTP1
Multitech Multi Modem USB, HP ZF3F002 4mm DAT Drive, HP ZR24w 24" Monitor.
HP Storage Works Ultrium 448 External Drive
Exabyte VXA External Tape Drive, HP Businessjet 2800 Printer
XiO (HP FF825AV) Z800 Radiation Therapy Planning System Workstation RTP2
HP ZR24w 24" Monitor.
FocalPro (Dell Optiplex 790) Contouring Workstation, HP LP2065 20" Monitor.

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):

This critical medical system is used in Radiation Oncology to develop and implement radiation treatment plans and utilizes proprietary software. This system is unique and considered critical for accomplishing the mission of this facility. Radiation treatment cannot be performed if the system is not functioning properly. Minimal downtime is required to avoid delays in patient treatment. It is necessary for the OEM, Elekta, Inc., to perform the preventative and periodic maintenance service as they are equipped with the specific diagnostic tools and proprietary software to maintain the medical equipment in accordance with OEM specifications. Software updates made by Elekta technicians will maintain the most up-to-date technological enhancements and will protect the substantial investment in the capital equipment at the Albany VA Medical Center Radiology/Oncology Clinic. In addition, repair diagnostics requires access to service screen menus that are only available to certified Elekta Service Technicians. Finally, the service agreement will reduce medical equipment down-time, decrease emergency repair costs, and eliminate testing and scheduling delays that could impact patient diagnosis that contributes to the overall level of quality patient care.

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

This is a recurring requirement for preventative maintenance for Elekta XiO Radiation Therapy equipment that requires proprietary software updates, and diagnostic tools. The equipment must be performed by OEM certified Elekta field technicians who are equipped with the necessary service menus to maintain the equipment to OEM specifications. A Sources Sought Notice was posted to the FBO website from June 24, 2015 to July 2, 2015 and yielded no interested contractors, see attached. Also, market research was conducted using the Vet Biz (VIP) website, GSA, FSS schedules under NAICS Code 81129 for sources of repair for similar procurements

and yielded no valid results for companies that were certified to perform work on the Elekta Focal Contouring/XiO Radiation Therapy Planning System.

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

The anticipated price to the Government is \$29,194.20 for the base year and the total cost is \$161,316.36 for the preventative maintenance services, equipment inspections and software updates for a five year firm fixed-price contract. The Biomedical Engineer at VAMC Albany has provided a Government estimate based on his years of expertise within the industry, and has used current fair market prices, historical prices and conditions that can be used to serve as a benchmark against which proposed prices can be compared (FAR 16.202-2(b)). The Offeror has performed similar repairs for other medical equipment at the Albany VA Medical Center under contracts as follows:

- a. Elekta, VA528-14-F-1563, Oct. 1, 2014, \$27,804.00, from 10/1/2014 to 9/30/2015.
- b. Elekta, VA528-13-F-0933, Oct. 1, 2013, \$26,480.00, from 10/1/2013 to 9/30/2014.

Pricing has remained comparable to those procurements. Utilizing the OEM's service agreement is the best value for the government.

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

A Sources Sought Notice #VA528-15-Q-0258 was posted to the Government-wide point of entry (FBO) website from June 24, 2015 to July 2, 2015 yielding no results. Also, Market research was conducted using the Vet Biz (VIP), GSA and FSS websites under NAICS Code 811219 for sources of repair for similar procurements yielding no valid results for companies that were certified to perform work on the Elekta XiO RTP Radiation Therapy unit.

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

The Elekta XiO Radiation Therapy unit has been in service for several years at the Albany VA Medical Center Radiology/Oncology Clinic. The preventative maintenance and software upgrades performed by the Certified Service Technicians from Elekta has maintained the unit in accordance with OEM specifications and operating condition which has protected VISN 2's financial investment in this capital asset. It is common for the OEM to perform the service maintenance and upgrades to their medical equipment since they possess the proprietary software, and specific diagnostic tools to maintain the equipment IAW OEM specifications.

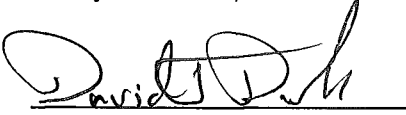
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

None: see 5 & 7 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: As it has been determined that this is a sole source provider, no actions may be taken to overcome barriers to acquisition.

However, should it be determined that VISN 02 has a future requirement for this type of service, the Contracting Officer will once again conduct a market survey to determine if any business can provide this service to the agency. Additionally, it is difficult to remove barriers to competition because the OEM is the most qualified in the repair and maintenance of its own specialized medical equipment. This is especially true where proprietary software, specific diagnostics tools, and specialized electronics are used to maintain the equipment IAW OEM specifications.

- 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.



David Drexler
Biomedical Engineer
Albany VAMC

7/2/15

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.


Richard Williams
Contract Specialist
NCO 2

Date

- b. **SERVICES TEAM LEADER:** I certify the justification meets requirements for other than full and open competition.

Irma Ferro
Division Chief
NCO 2


Date



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S*tep 1. Assign Category & Select Vendors*

 No matches were found using keywords:
Elekta XiO Radiation Therapy System

Search:

all the words

[VA](#) » [OAL](#) » [NAC](#) » [CCST Home](#) » [Search Menu](#) » [MedSurg Catalog Search](#) » Items List

National Acquisition Center (CCST)

MedSurg Catalog Search:Items List

Search by FSS Contract Number	Search by BPA Contract Number	Search by BOA / National Number	Search by Contractor Name
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Search by SIN Number	Search by SIN Description	Search by Schedule	Search by Contract Type
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Search by Item Name / Catalog Number using
terms or phrase

– Sort Order –

20 Results/Page

Click on the Catalog Number hyperlinks below for contract details and ordering information

Found 11 records out of
896972

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CATALOG NUMBER	CONTRACT NUMBER	BPA CONTRACT NUMBER	GSA PV	PRODUCT LONG DESCRIPTION	CONTRACTOR NAME	PRICE	BPA PRICE	SIN
865230_A21	V797P-4232B		X	865230 A21 Quality Assurance Review	The Janz Corporation	\$3,820.22		A-50A
OMC-LAB-002	V797D-30111		X	X INFORMATION ASSURANCE MGMT SETUP FEE	Omniceil, Inc.	\$15,075.38		A-92
OMC-LAB-002(L)	V797D-30111		X	X INFORMATION ASSURANCE MGMT SETUP FEE	Omniceil, Inc.	\$296.38		A-92
FDQ00010	V797D-50366			Food/Diary/quality assurance kit	Biotron Diagnostics, Inc.	\$25.13		555-6
865230_A21	V797P-2238D		X	X Option A21 Quality Assurance Review for 865230 CompuRecord Release F	Philips Healthcare, a division of Philips Electronics North America Corp.	\$3,537.24		A-50A
865230_A21	V797P-4135B		X	X 865230 A21 Quality Assurance Review	Glomax, Inc.	\$3,877.81		A-50A
Installation/Training	V797P-3209M		X	Installation, On-Site Training, and Quality Assurance Check on the Sterisil System	Sterisil, Inc.	\$2,412.06		C-INP
J22118	V797P-4452B		X	X T-DOC Endoscope Module: Allows tracking of endoscopes through their process, recording dry times, costs, and quality assurance.	Getinge USA, Inc.	\$13,925.59		A-89
22671	V797P-4995a		X	X 716-0237-00 CASE Assurance Z-Fold Paper with Red Grid and Blank Header, Perforated, 8.5" x 11", 200 Sheets/Pad, 10/Case	Solcon, Inc. dba Quick Medical GS	\$243.49		A-55
22672	V797P-4995a		X	X 716-0239-00 CASE Assurance ECG/EKG Z-Fold Paper with Red Grid and Blank Header, Perforated, 300 Sheets/Pad, 10/Case	Solcon, Inc. dba Quick Medical GS	\$224.89		A-55
PMS	V797D-40131		X	Preventative Maintenance Services, Preventative Maintenance Service Site Visit, per System	Innovation Associates, Inc.	\$3,519.10		A-200

Found 11 records out of
896972



J--Elekta XiO/Focal RTP Assurance 2.0 Maintenance & Support Stratton Albany VA Medical Center

Solicitation Number: VA52815Q0258

Agency: Department of Veterans Affairs

Office: Syracuse VAMC

Location: Department of Veterans Affairs Medical Center

Notice Type:

Sources Sought

Posted Date:

June 24, 2015

Response Date:

June 26, 2015

Archiving Policy:

Automatic, on specified date

Archive Date:

July 26, 2015

Original Set Aside:

N/A

Set Aside:

N/A

Classification Code:

J -- Maintenance, repair & rebuilding of equipment

NAICS Code:

811 -- Repair and Maintenance/811219 -- Other Electronic and Precision Equipment Repair and Maintenance

Synopsis:

Added: Jun 24, 2015 11:33 am

Solicitation Number: VA528-15-Q-0258

This is a Sources Sought Notice ONLY. It is neither a solicitation announcement nor a request for proposals or quotes and does not obligate the Government to award a contract. Requests for a solicitation will not receive a response. Responses to this Special Notice must be in writing. The purpose of this notice is for market research to make appropriate acquisition decisions and to gain knowledge of potential qualified Service Disabled Veteran Owned Small Businesses, Veteran Owned Small Businesses, 8(a), HubZone and other Small Businesses interested and capable of providing the services described below. Documentation of technical expertise must be presented in sufficient detail for the Government to determine that your company possesses the necessary functional area expertise and experience to compete for this acquisition. No funds have been authorized, appropriated, or received for this effort.

Place of Performance:

Department of Veterans Affairs

Stratton Albany VA Medical Center

113 Holland Avenue

Albany New York 12208-3410

Purpose and Objectives:

The intent of this Sources Sought Notice is to identify potential offerors capable of providing full service maintenance, software upgrades, on-line, telephonic and email support, and on-call emergency support services for:

1. Elekta Focal Contouring/XiO Radiation Therapy Planning System.

All repair personnel must be fully qualified, OEM certified in order to work on this equipment. Fully Qualified is based upon training and on experience in the field. For training, the Service Representatives must have successfully completed a formalized training program, for the equipment identified herein. Certifications and/or training records may be requested.

SCOPE AND EQUIPMENT:

This is a Service and Maintenance Contract for a Focal Contouring/XiO Radiation Therapy Planning System used in the Radiation Oncology Department at the Stratton VA Medical Center, Albany, NY. Contractor shall provide all supervision, tools, equipment, labor, and materials necessary to provide full software maintenance and on-call emergency support services, including software upgrades, service bulletins and alerts, telephone, email, and online support.

EQUIPMENT LIST:

VA ID # Equipment Description Serial Number

194945 XiO (HP FF825AV) Z800 Radiation Therapy Planning System Workstation RTP1 2UA0181CWP

67831 Multitech Multi Modem USB X2CC5C04

117966 HP ZF3F002 4mm DAT Drive 994218491607

194946 HP ZR24w 24" Monitor CNT013140W

194948 HP Storage Works Ultrium 448 External Drive HU11024NAR

188544 Exabyte VXA External Tape Drive 85113014

186696 HP Businessjet 2800 Printer TH83Q5Z06X

194944 XiO (HP FF825AV) Z800 Radiation Therapy Planning System Workstation RTP2 2UA02616QG

194947 HP ZR24w 24" Monitor CNT01317D1

208672 FocalPro (Dell Optiplex 790) Contouring Workstation 37V04V1

155396 HP LP2065 20" Monitor CNG7190371

CORRECTIVE MAINTENANCE:

A. Unlimited remote (online) consultation and repairs by qualified service technicians, trained by the manufacturer. Contractor shall maintain equipment in accordance with the Conformance Standards.

B. The Contracting Officer (CO), COR or designated alternate has the authority to approve/request a service call from the contractor.

C. Unlimited telephone support Mon-Fri 8am-5pm (excluding Federal Holidays). This support shall include technical and clinical troubleshooting and consultation.

D. Response Time: The Contractor will respond to requests for service by telephone within thirty (30) minutes of notification during normal business hours and no later than eight (8) A.M. of the next business day if called after normal business hours.

E. Contractor shall repair, modify, or correct as necessary software deficiencies related to any and all hazard alerts from the manufacturer, FDA, or Veterans Administration, etc. at no additional cost.

ONLINE SUPPORT

A. Contractor shall provide unlimited email support for all clinical and technical questions and/or troubleshooting in addition to the telephonic support listed in section C above. Response to emails may be made by phone or return email.

B. Contractor shall provide unlimited (24 hours/day, 7 days/week) internet-based support tools which provides access to installation and troubleshooting documents, an online demonstration system, product upgrade information, training videos, up-to-date information on installed products, maintenance and support status, software updates, online template sharing, and support FAQs.

C. Contract shall provide electronic notification of service alerts regarding critical support issues.

SOFTWARE UPGRADES

A. Contractor shall provide OEM approved software upgrades (feature enhancements). OEM releases at least one major upgrade every year with significant enhancements. Contractor shall manage all software upgrades, working in collaboration with local users and Biomedical Engineering. Upgrades may be provided and installed remotely, and shall be scheduled to ensure little or no downtime.

B. Contractor shall provide an electronic bulletin service, designed to provide notification of current and pending software upgrades, upcoming events and training opportunities, and important service announcements.

CONFORMANCE STANDARDS:

Contractor shall ensure that the equipment functions IAW OEM performance standards.

SERVICE MANUALS:

The contractor shall have on file or make available to its FSE's, all operational and service manuals, schematics and parts lists, and any other documentation necessary to meet the performance requirements of this contract. The location and listing of the service data manuals, by name, and/or the manuals themselves shall be provided to the CO upon request.

MAINTENANCE SERVICE REPORTS:

Each maintenance report shall at a minimum, document the following data legibly and in complete detail:

1. Name of Contractor.
2. Name of FSE who performed services.
3. Contractor service maintenance number/log number.
4. Date, time (starting and ending), equipment downtime and hours for service call.
5. VA purchase order number issued at the time of the call.
6. Description of the problem reported by the COR/User.
7. Equipment inventory ID, Manufacturer's name, device name, model number, serial number and any their manufacturer's identification numbers.
8. Itemized description of service performed to include labor and location of problem/corrective action.
9. Signatures of FSE performing services.

REPORTING REQUIRED BEYOND THE SCOPE OF THE CONTRACT:

The contractor shall notify the Contracting Officer and COR, in writing, of the existence or the development of any defects in, or repairs to the equipment, which are not the responsibility of the contractor under the terms of this contract, within 24 hours of discovery.

Response:

Responses to this Sources Sought should be able to demonstrate the firm's ability, capability, and responsibility to deliver the service listed above. Responses should include the following information: Business name, address, business size and Socioeconomic Category (HUBZone, 8(a), Service Disabled Veteran, Small Business, Large Business, etc.), and point of contact to include e-mail address and telephone number. All offerors must be registered in the System for Award Management (www.sam.com) and Representations and Certifications must be completed prior to any future award. Supporting evidence must be furnished in sufficient detail to demonstrate the ability to provide the full maintenance and repair service on equipment listed.

Determination by the Government not to compete this proposed contract based on responses to this notice is solely within the discretion of the Government.

Important information: The Government is not obligated to nor will it pay for or reimburse any costs associated with responding to this Sources Sought Notice. This notice shall not be construed as a commitment by the Government to issue a solicitation or ultimately award a contract, nor does it restrict the Government to a particular acquisition approach. The Government will in no way be bound to this information if any solicitation is issued. No sub-contracting opportunity is anticipated. The North American Classification System (NAICS) code for this acquisition is 811219 (\$20.5 Million).

Any offeror capable of providing this service shall notify the Contracting Officer by email no later than July 2, 2015 at 2:00 PM EST.

All information is to be submitted via email to: richard.williams18@va.gov.

Attachment

Type: Other (Draft RFPs/RFIs, Responses to Questions, etc..)

Posted Date: June 24, 2015

<https://www.vendorportal.ecms.va.gov/FBODocumentServer/DocumentServer.aspx?DocumentId=2127610&FileName=VA528-15-Q-0258-000.docx>

Description: VA528-15-Q-0258 VA528-15-Q-0258.docx

Additional Info:

[Department of Veterans Affairs](#)

Contracting Office Address:

Department of Veterans Affairs;Network Contracting Office 02;1304 Buckley Road;Suite C104;Syracuse NY
13212-4311

Place of Performance:

Department of Veterans Affairs;Stratton Albany VA Medical Center;113 Holland Avenue;Albany New York
12208-3410
USA

Point of Contact(s):

Richard Williams

[Contracting Officer](#)

ALL FILES

[Attachment](#) 

Jun 24, 2015

[VA528-15-Q-0258 VA52](#)

Opportunity History

- **Original Synopsis**

Jun 24, 2015

11:33 am