

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** Department of Veterans Affairs, VISN 15, Colmery-O'Neil VA Medical Center, Topeka KS. Justification for Other Than Full and Open Competition to procure maintenance and repair services for Diagnostic Imaging (X-Ray) Equipment. Ref 2237: 589-12-1-2761-0011.

**2. Nature and/or Description of the Action Being Processed:** This action is to procure maintenance and repair services using the authority in FAR 6.302-1 for two (2) complete GE Healthcare SCR650 Diagnostic Imaging Systems equipment located at the Colmery-O'Neil VA Medical Center, Topeka, KS. This action will be awarded as a new contract since the warranty expired on one system on 6/24/11 and will expire on the second system on 11/7/11. The contract type is firm fixed price.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** Contractor shall provide full maintenance both remotely and on site, to include all replacement parts, software updates, labor, travel expenses, tools, test equipment and other incidentals necessary to maintain or restore the equipment to operating specifications. The equipment is identified as GE Healthcare XR650 Digital Imaging System, Model GE XR DISCX650, System ID \_\_\_\_\_ and GE Healthcare XR650 Digital Imaging System, Model GE XR DISCX650, System ID \_\_\_\_\_. Included in the maintenance are tube coverage, detector coverage and table. Printers are excluded. In house Biomedical Engineering will provide first look response to all trouble calls and will notify contractor when services are required. The period of performance is 10/1/11 through 9/30/12 with option to renew 4 additional one year periods. The estimated value for the base period is \$113,529.78 and total contract value including option years is \$569,129.78.

**4. Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302.

- (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):** Services can only be provided by GE Healthcare as this is a follow-on requirement for the continued provision of highly specialized services upon expiration of equipment warranty. Direct patient care would be impacted if repair of equipment is delayed. At the current time, the equipment hardware and software are proprietary to GE Healthcare. Other potential contractors do not have access to equipment hardware and software which would cause unacceptable delays in direct patient care. All services must meet manufacturer's

performance and technical specifications, Federal Regulations, FDA device certification and other specifications that may apply such as National Electric Code (NEC), Life Safety Code (LSC), the Joint Commission (JC) and VA regulations. Maintenance and repair services from a source other than GE Healthcare would cause substantial duplication of costs to the Government that is not expected to be recovered through competition.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This requirement will be posted to the Government Point of Entry, [www.fbo.gov](http://www.fbo.gov) stating the Government's intent to negotiate sole source with GE Healthcare. All responsible sources may submit a capability statement or quotation for consideration.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contracting officer, after review and consultation with appropriate technical personnel, will insure that the price paid is fair and reasonable. In accordance with FAR 15.403-1(a) cost and pricing data is not required for commercial services below the simplified acquisition threshold.

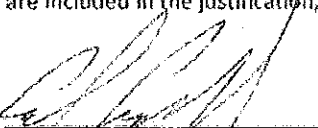
**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section 6 above, market research, in accordance with FAR Part 10, will be conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** The requirement is not suitable for full and open competition due to the proprietary hardware and software required for this equipment to function as intended.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section 6 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:** Full and Open competition can be sought when the hardware and software are no longer proprietary.

**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.

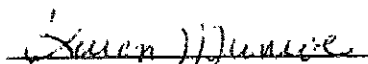
  
CARL CAMPBELL

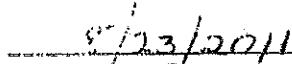
SUPERVISOR, BIOMEDICAL EQUIPMENT SUPPORT SPECIALIST  
COLMERY-O'NEIL VA MEDICAL CENTER

22 August 2011  
Date


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

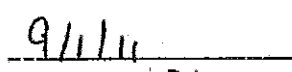
a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
KAREN MUNROE  
CONTRACTING OFFICER  
Facility

  
Date

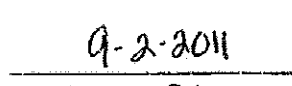
b. **VISN/PCA QA:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. \*This signature may be the VISN NCM/PCM if the Contracting Officer and Contracting Supervisor is the same individual.

  
CHRISTY HERBIG  
QUALITY ASSURANCE COMPLIANCE MANAGER  
VISN 15


  
Date

c. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.

  
BERNADETTE COTHERN  
NETWORK CONTRACT MANAGER  
VISN 15

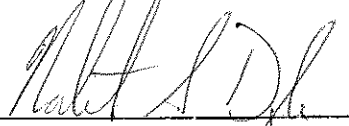
  
Date

d. **SAO:** I certify the justification meets requirements for other than full and open competition.

  
PAMELA J. SANDERS  
DIRECTOR  
SAO CENTRAL REGION

  
DATE

**e. VHA HCA's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.



MR. NORBERT S. DOYLE  
ACTING CHIEF OF PROCUREMENT OFFICER  
VHA, HEAD OF CONTRACTING ACTIVITY

9/13/11  
DATE

**f. VHA Senior Procurement Executive Approval (over \$50 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 other than full and open competition.