

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)**

Acquisition Plan Action ID: 659-16-2-931-0276

1. Contracting Activity:

Department of Veterans Affairs, VISN06, Network Contracting Office in support of the Veteran Affairs Medical Center, Salisbury, North Carolina for the Charlotte HCC.

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

This is a Brand Name Only Request to supply the Salisbury VAMC in support of the Charlotte HCC with HD Ultra-Light URO Cameras and supporting accessories.

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

The Charlotte HCC requires this equipment and related instrumentation to enable the surgeon to see into the bladder and ureters and enable them to do procedures aimed at curing disease. The cameras and instrumentation must be compatible with Olympus CV-190 video processor.

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

- (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):

The HD Ultra-Light URO Cameras are manufactured by Olympus and are the only equipment that can meet the minimum needs of the Government based on compatibility with existing equipment inventory at the Salisbury VAMC/Charlotte HCC as well as VAMC standardization efforts executed in 2012.

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

Market Research identified that this equipment is not available on Olympus schedule. However, Olympus has 3 small business partners with exclusive rights to market this item. Any other source would be unauthorized by the manufacturer.

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

Competition will be achieved by soliciting to three small business authorized dealers. Market Research identified the manufacturers cost to the small business dealers thereby allowing for determination of fair and reasonable.

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

Market Research included searching for other sources utilizing SAM, GSA, and SBA in accordance with standard market research practices. Confirmation of small business was received through SBDS verification.

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

None

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:**

At the end of the OEM life of the equipment and the accessories needed for compatibility is reached, research will again take place to find the best technical and cost efficient equipment.

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: Stephanie Stephens

Title: BSN RN CNOR

Facility: VAMC Salisbury

____ March 28, 2016 ____

Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC 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.

Miriam LeMaitre
Contract Specialist

Date

- b. **Quality Assurance Review**: I certify the justification meets requirements for other than full and open competition.

Jeff Benton
Quality Assurance and Compliance Officer
NCO 6

Date

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

Darryl T Person
Network Contracting Manager Designee
NCO 6

Date