

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

1. Contracting Activity: Department of Veterans Affairs, VISN 15, Harry S. Truman Memorial Veterans' Hospital (589A4)

Surgery Service of the above listed hospital has requested justification for Other than Full and Open Competition for the purchase of Cardiac Additional Items from Philips Healthcare to be used at the VA Medical Center in Columbia, Missouri. 2237 purchase request is 589-11-4-7317-0046.

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

The proposed action is for one (1) lot of Philips Healthcare Cardiac Additional Items. The additional items are required in order for the Philips Allura Xper FD20 OR Table to function. These items were submitted to the NAC as a line item to be purchased with the Allura Xper FD20 table. The NAC removed the line item(s) from the purchase order since it was not on the Philips contract. These items are necessary and vital for the table to operate and function properly. These items must be purchased from Philips Healthcare to ensure that they are compatible with the Allura Xper FD20 table and can be used in conjunction with the table.

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

The total estimated value of the acquisition is \$49,600.00. The requested items are provided by Philips Healthcare which provides uninterrupted power supply with cabinet and transfer switch, remote status monitoring, cable and power to the Philips Allura Xper FD20 table and Remote Eye Networking Software. Philips Healthcare is the sole sales channel for the items to ensure compatibility with the purchased major system, Allura Xper FD20 OR Table.

The requirements for the Philips Healthcare Cardiac Additional items, item #100298, are:

- Fluoro Protection Package to consist of 25KVA 3 Phase Universal Power Supply (UPS), UPS Cabinet, Battery cabinet and Universal Transfer Switch (UTS).
- Remote Status Monitor with 25' cable and mounting bracket
- Remote Status Monitor Cable 250'
- Remote Eye Power Networking Software

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 acquisition will be restricted to Philips Healthcare as a continuation of a highly specialized, major system already purchased, the Philips Allura Xper FD20 OR Table. The requested Cardiac Additional Items were included with the original order to the NAC for the Allura Xper Table. The NAC was unable to purchase these requested items with the OR Table since they were not on the Philips contract. The items are required for the table to be fully functional with uninterrupted power. The switch is a unique high speed switch used for Fluoro exams during transition to emergency power without causing interruption to service or having to reboot the system. The Remote Eye II Power Networking Software is proprietary to Philips Healthcare and is required for the Remote Monitor and cabling. These additional items will allow for power to be supplied to the Philips Allura Xper FD20 at all times. Highly critical and acute cases will be performed using this Philips table and ensuring power is supplied at all times is highly vital.

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

In the future, offers will be solicited from as many potential sources as possible. The items requested for purchase were originally included on the original order for the Philips Allura Xper FD20 table, which is a highly specialized major system. Since these items are supplied by Philips to work in conjunction with their OR Table to ensure compatibility, there are no other sources at this point available to make an offer.

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

The negotiated price for the order reflects a 30% discount provided to the government from the Philips commercial price list. This price is determined to be 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 conducted consisted of reviews of previous procurements for similar items and utilizing search engines of open market contractors and Federal Supply Schedules contractors. Additional search engines utilized were Google, GSA Advantage, and Yahoo. The uninterruptible power supply, transfer switch and remote display items must be provided by Philips in order to be compatible with the Philips Allura Xper FD20 table. There are no alternate sources for these items to ensure compatibility and full integration with the FD20 OR Table.

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

The Philips uninterruptible power supply (UPS) is the only item that meets the requirements of the government. The UPS and supporting items are required to ensure no lapse in power to the FD20 OR Table, which is a highly specialized major system. This is especially critical due to the highly acute cases that will be performed using this system. Utilizing other equipment with this major system, which may or may not be approved by Philips, is not feasible and will jeopardize warranty provisions. In addition, it would be a patient safety risk to have equipment variances with this highly specialized piece of equipment. To maintain the highest level of excellence and safety, the Philips Allura Xper FD20 table needs to be outfitted with the UPS and supporting items from the same vendor, Philips Healthcare.

Utilizing any other equipment with the FD20 OR Table would result in Veteran's Health Administration experiencing substantial duplication of cost and unacceptable delays in fulfilling this requirement.

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

Future requirements will be reviewed on an individual basis for competition possibilities.

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

Richard A. Schmaltz, MD

Date

9/23/11

Title

Director, Surgery Service

Facility

Harry S. Truman Memorial Veteran's Hospital

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.

Name

Anna Weishaar

Date

9/23/11

Title

Contracting Officer

VISN 15

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

Bernadette Cothern

Date

9-28-11

BERNADETTE COTHERN

Network Contract Manager

VISN 15