

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity: Department of Veterans Affairs, VISN 15, 4101 S. 4th Street Trafficway, Leavenworth, Kansas 66048.

**Marion IL VAMC, 2401 West Main Street, Marion, IL 62959-1188
2237 "EMERGENCY" (657-12-1-2031-0076)**

2. Nature and/or Description of the Action Being Processed: Provide labor and parts to replace the Toshiba CT scanner tube assembly. Perform calibration and testing on the Toshiba CT unit to ensure proper operation.

Length of Contract: Week after receipt of Purchase Order

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

This contract involves the replacement of the CT tube, calibration and test of the Toshiba CT scanner. The estimated total cost is \$105,144.00

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;
- (X) (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):

FAR 6.302-1

- ✓ The CT is proprietary to Toshiba America Medical Systems; only certified technicians can properly inspect certify and work on the Toshiba CT scanner.

FAR 6.302-2 (b) (2) It is with the utmost urgency that this be processed as soon as possible as any delay in award of this contract would result in financial expense to the Government. The tube, if not replaced, inspected and certified in a timely manner could result in failed and delayed services that shall adversely affect patient care.

FAR 6.302 (d) (B) (ii) not exceed one year

FAR 6.302-5 (6) (1) (iii) (A)

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: The CT is proprietary to Toshiba America Medical Systems; only certified technicians can properly inspect certify and work on the Toshiba CT scanner.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Based on price analysis it was determined that the cost to the Government is fair and reasonable. The price quote is \$105,400.00 based on the Toshiba CT scanner tube failing within 12 months after 134,000 slice images. The CT scanner tube lifecycle is 200,000 slices per year which resulted in an adjusted price quote as stated above versus the normal replacement cost of \$165,500.00.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: FAR 10.002 (b) The Service being acquired is for a Commercial Item.

FAR 10.002(1) the extent of Market Research will vary depending on such factors as urgency, estimated dollar value, complexity, and past experience. The contracting Officer may use Market Research conducted within 18 months before the award of any task or delivery order if the information is still current, accurate and relevant.

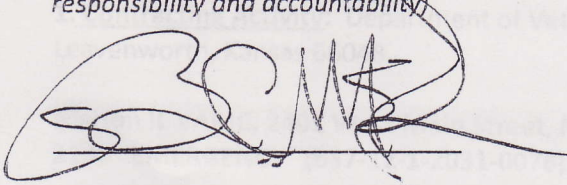
No market research conducted because it is an urgent procurement.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: The tube has failed and needs to be replaced immediately to keep patient disruption at a minimum and to avoid fee basing patients out to other facilities. The CT tube is proprietary to Toshiba America Medical Systems. ✓

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

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 Contracting Officer will check the National Acquisition Center (NAC) as a alternative source for comparable pricing and availability.

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.
(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

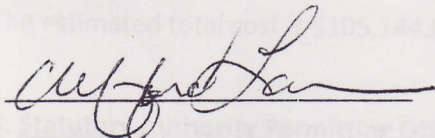


CHIEF ENGINEER
MARION IL VAMC

12-2-11
Date

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

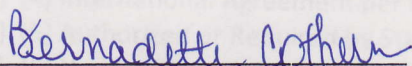
a. Contracting Officer's Certification: (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



CONTRACTING OFFICER
NCO-15

12-2-11
Date

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



BERNADETTE COTHERN
NETWORK CONTRACT MANAGER
NCO -15

12-7-2011
Date