

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

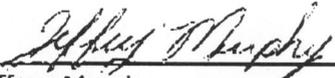
Other Than Full and Open Competition

1. **Contracting Activity:** The Department of Veterans Affairs, VISN 6, Salisbury VA Medical Center plans to contract by means other than full and open competition in response to procurement request 659-12-2-6049-0656.
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 a replacement parts and labor to repair the Philips Optimus medical Fluoroscopic Radiography (x-ray) system located at the Salisbury VA Medical Center. A firm fixed purchase order to Philips Healthcare is planned for this purchase.
3. **Description of Supplies or Services Required to Meet the Agency's Needs:** The Salisbury VA Medical Center has an urgent need for an Fluoroscopic Radiography (x-ray) component. The equipment is presently not working and the facility is having to cancel patient appointments. The cost of the replacement part(s) and labor to repair is \$25,484.42.
4. **Statutory Authority Permitting Other Than Full and Open Competition:**
 - () (1) Only One Responsible Source and No Other Supplies 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 per FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302.7

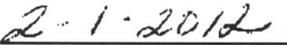
Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of Authority): 41 USC 253(c)(2), as implemented by FAR 6.302-2(c)(1) states that when an agency's need for the supplies or services is of such an unusual and compelling urgency the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals, full and open competition need not be provided for. In this case, the repair needs to be accomplished as soon as possible. The Salisbury VA Medical Center relies on the use of radiological images to make diagnoses. The way this equipment works is a continuous x-ray beam is passed through the body part being examined and is transmitted to a TV-like monitor so that the body part and its motion can be seen in detail. This allows physicians to see images of bones and internal organs within seconds. This gives them information more quickly, and in many cases more economically, than other tests and exploratory procedures. Patient care is being comprised by this equipment not being operational.

5. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Because of the urgent nature of this procurement, a solicitation was not posted.

6. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Because of the urgent nature of this procurement, market research was not conducted.
7. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** There are no other facts other than those already stated.
8. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
9. **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:** There are no barriers to competition to overcome for this procurement because a certified part from Philips Healthcare would be required on this x-ray equipment because of proprietary concerns.
10. **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.



Jeffrey Murphy
Biomedical Technician
Salisbury VA Medical Center



Date

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

Dori Dabbs
Dori Dabbs
Contracting Officer
VISN 6

2/1/2012
Date

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

Jeff Benford
Jeff Benford
Delegated Network Contract Manager
VISN6

2/2/2012
Date

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

N/A
Jeffrey Ryan
Director
Service Area Office, East

Date

- d. **VHA HCA 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.

N/A
Frederick Downs, Jr.
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$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.

N/A
Iris B. Cooper
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

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.

N/A
Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date