

JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW [FAR 13.106-1](#)

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements *explaining the absence of competition* (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. ACQUISITION PLAN ACTION ID:

VA255-16-AP-4936

1A. PROJECT/TASK

No. n/a

1B. ESTIMATED AMOUNT:

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

The John J Pershing VAMC is requesting Flexible Cystoscopes. Flexible cystoscopes are used to observe and diagnose bladder abnormalities.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

The VA requirement to Lease Scopes has dictated in the past that Poplar Bluff VAMC have equipment that is directly compatible with the Olympus brand. Poplar Bluff VAMC's associated systems are standardized to ensure that the equipment will function correctly, including ancillary equipment and reprocessing equipment. This equipment is extremely sensitive and optimal functionality will be ensured by using cystoscopes that are specifically designed to use with the existing Olympus system. Poplar Bluff VAMC's physicians are currently trained and proficient on these scopes and their familiarity with this system results in significantly decreased patient adverse events. The Olympus cystoscopes are the only scopes compatible with the existing standardized system. All of Poplar Bluff VAMC's current equipment is Olympus to include but not limited to existing light sources, carts and ancillary equipment as well as existing reprocessing equipment. Utilizing another brand will compromise these systems.

4. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

Initially intended on being a lease from a mandatory schedule, a Set-Aside will now be conducted to purchase the Flexible Cystoscopes manufactured by Olympus due to the new ruling of the Supreme Court case on June 16, 2016 between Kingdomware Technologies, Inc. v. United States. In a sources sought notice conducted, it was found that multiple SDVOSBs would be capable of providing the product needed. Discovering this information made it clear that a SDVOSB set-aside would be the mandatory course of action before giving consideration to other sources. This justification serves as a Brand Name Justification to purchase only the requested part numbers requested manufactured by Olympus.

5. Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. Note: COs are required to make a determination of price reasonableness IAW FAR 13.106-3. See the [Commercial Supply and Service SOP for Price Reasonableness templates](#).*

Paul A. HEMENWAY
653155

Digitally signed by Paul A. HEMENWAY 653155
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Date: 2016.08.12 13:50:18 -05'00'

Signature: _____

Date: _____

Name: Paul Hemenway

Title: Contracting Officer NCO 15