

BRAND NAME JUSTIFICATION
FAR PART 13 SIMPLIFIED ACQUISITION PROCEDURES
PROCUREMENT REQUEST 629-16-4-7224-0425 (Bariatric Lift)

In accordance with Federal Acquisition Regulation (FAR) 11.105(a)(1), the particular brand name, product, or feature is essential to the Government's requirements, and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs

- For brand name purchases not exceeding the simplified acquisition threshold (FAR 13.106-1(b)(1)).

This requirement is under the simplified acquisition threshold. Brand name only is requested in the best interest of the U.S. Government. The facility requests brand name (Prism) bariatric lifts to ensure compatibility, consistency, functionality, reliability, and uniformity with the existing equipment (slings) that have already been purchased and are currently in use at the facility. All lifts require the use of a sling that is specifically designed for the brand name of the equipment. The slings currently being used require a Prism lift so that patients can be safely and adequately lifted/moved when receiving treatment/care at the facility. A non-Prism brand lift is not interchangeable or compatible with the slings currently being used in the facility. Use of a non-compatible and non-interchangeable lift increases the risk of patient injury, presents a serious patient safety concern, and also could result in negligence/malpractice claims at significant cost to the U.S. Government.

Per 5.102(a)(6), this shall be included as part of the solicitation documents.

- For brand name acquisitions of commercial items in excess of the simplified acquisition threshold conducted pursuant to FAR subpart 13.5 (13.501(a)). Justification for other than full and open competition under the authority of section 4202 of the Clinger-Cohen Act of 1996 or the authority of the Services Acquisition Reform Act of 2003 ([41 U.S.C. 428a](#)).

[Insert identification of the agency and the contracting activity.]

[Insert nature and/or description of the action being approved.]

[Insert description of the supplies required to meet the agency's needs (including the estimated value).]

[Insert a demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.]

[Insert a description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by FAR [subpart 5.2](#) and, if not, which exception under [5.202](#) applies.]

[Insert a determination by the contracting officer that the anticipated cost to the government will be fair and reasonable.]

[Insert a description of the market research conducted (see FAR [part 10](#)) and the results or a statement of the reason market research was not conducted.]

[Insert any other facts supporting the use of other than full and open competition.]

[Insert a listing of the sources, if any, that expressed, in writing, an interest in the acquisition.]

[Insert a statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.]

[Insert the contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.]

Approval of the Brand Name Justification:

AJ RAIBER, Contracting Officer



9/13/16

Contracting Officer
(Proposed contract not exceeding \$550,000)

Date

Competition Advocate
(Proposed contract over \$550,000 but not exceeding \$11 million)

Date