



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

October 26, 2016

Mr. Blake McIlvane
Contracting Officer
Department of Veterans Affairs
Strategic Acquisition Center
Division C-2
10300 Spotsylvania Avenue, Suite 400
Fredericksburg, VA

RE: VA119-17-Q-0014

Dear Mr. McIlvane:

Based on the justification below, a waiver of the Nonmanufacturer Rule is hereby established for a Patient Monitoring and Telemetry System under solicitation number VA119-Q-0014. This waiver applies only to this one-time award and does not apply to modifications outside the scope of the contract or other procurement actions. The effect of this waiver is to allow an otherwise qualified small business to supply the product of an other than small manufacturer or processor on this intended set aside for small business. However, it must be emphasized that this waiver of the Nonmanufacturer Rule **does not waive other legal requirements** applicable to Government procurements, such as the Buy American Act and the Trade Agreements Act.

This letter is in response to your request for an individual waiver of the Nonmanufacturer Rule (NMR) under NAICS 334510 (Electromedical and Electrotherapeutic Apparatus Manufacturing) to allow a set-aside solicitation for a service disabled veteran owned small business concern (SDVO SBC). There are no small business manufacturers of medical equipment. The Department of Veterans Affairs, Strategic Acquisition Center, through its market research found no small business manufacturers of this medical equipment for use at its VA Hospital, Omaha, NE facility. Your market research found several SDVO SBCs that offer the patient monitoring and telemetry system.

The waiver of the Nonmanufacturer Rule on an individual procurement is provided for in sections 8(a)(17) and 46 of the Small Business Act, 15 U.S.C. §§ 637(a)(17). In your justification, you claim that no small business manufacturers of the patient monitoring and telemetry system that meet the specifications of the VA Hospital in Omaha, NE. Your market research supports this nonmanufacturer waiver request.

If you have any questions or require additional information, please contact Mr. Jon
Haitsuka of my staff at (202) 401-1420.

Sincerely,

A handwritten signature in dark ink, appearing to read "Seán F. Crean". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Seán F. Crean
RADM, SC, USN (ret)
Director
Office of Government Contracting
U.S. Small Business Administration