

Department of Veterans Affairs

PROCUREMENT REQUEST REVIEW FOR THE SMALL
BUSINESS PROGRAM AND CONTRACT BUNDLING

1. CONTRACTING ACTIVITY INFORMATION

A. NAME OF CONTRACTING ACTIVITY
NETWORK 23 CONTRACTING OFFICE (NCO 23)
SIOUX FALLS SD

2. DATE OF PURCHASE
REQUEST

04-04-2012

3. ESTIMATED DOLLAR VALUE

A. THIS F.Y.
\$37,134.35

B. TOTAL CONTRACT
VALUE
\$37,134.35

OSDBU CONTROL
NUMBER

B. STREET ADDRESS
2501 W 22ND ST

4. PERIOD OF PERFORMANCE (Include all option years)

APRIL 4, 2012

C. CITY
SIOUX FALLS

D. STATE
SD

E. ZIP CODE
57105

5. DESCRIPTION OF SUPPLIES OR SERVICES

COMPONENTS, PARTS AND INSTALLATION TO REPAIR PHILIPS
MOBILE FLUOROSCOPY SYSTEM, BV PULSERA C-ARM

F. TELEPHONE NO.
605-333-6821

G. FAX NO.
605-333-6829

6A. SIGNATURE AND PRINTED NAME OF CONCURRING SMALL BUSINESS OFFICE SPECIALIST FOR CONTRACTING ACTIVITY

Danyla Berg For Elaine DeGroot

6B. DATE OF CONCURRENCE

4/9/12

CONTRACTING OFFICE

7. SOLICITATION NUMBER

8. ANTICIPATED DATE OF
RELEASE

9. ANTICIPATED DATE OF
RESPONSE/BID OPENING

10. NAICS CODE AND SMALL BUSINESS SIZE
STANDARDS
334510

500 Employees

11. PROPOSED METHOD OF PROCUREMENT

☐ SERVICE-DISABLED VETERAN-OWNED BUSINESS SET-ASIDE

☐ HUBZONE COMPETITION

☐ SERVICE-DISABLED VETERAN-OWNED BUSINESS SOLE SOURCE

☐ HUBZONE SOLE SOURCE

☐ VETERAN OWNED SMALL BUSINESS SET-ASIDE

☐ 100% SMALL BUSINESS SET-ASIDE

☐ VETERAN OWNED SMALL BUSINESS SOLE SOURCE

☐ PARTIAL SMALL BUSINESS SET-ASIDE: _____

☐ 8(A) COMPETITION

☐ TASK/DELIVERY ORDER AGAINST EXISTING CONTRACT VALUE: _____

☐ 8(A) SOLE SOURCE

☒ UNRESTRICTED-INSUFFICIENT SMALL BUSINESS (Attach justification, proposed subcontracting amounts and evaluation preference for SDVOSBs and VOSBs)

12. FAR PART 5 - PUBLICIZING CONTRACT ACTIONS - HAS THIS REQUIREMENT BEEN ADVERTISED?

☒ PRESOLICITATION NOTICE/PROCUREMENT

☐ MODIFICATION OF A PREVIOUSLY ANNOUNCED
PROCUREMENT ACTION

☐ SOURCES SOUGHT (Includes A-76 Services and
Architect-Engineer contracts)

13. PROPOSED ISSUING NUMBER OF SOLICITATIONS TO: (Provide Actual Number)

____ SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS

____ 8(A)

____ WOMEN-OWNED SMALL BUSINESS

1 LARGE BUSINESS

____ VETERAN-OWNED SMALL BUSINESS

____ HUBZONE

____ SMALL BUSINESS

14. IMPORTANT: Contract Bundling Checklist (VA Form 2268a) must be submitted with VA Form 2268 for all procurements in excess of \$1,000,000.

PROCUREMENT HISTORY

15. HAS ITEM/SERVICE BEEN PREVIOUSLY AWARDED?

☐ YES (Complete items 16 thru 18)

☒ NO (Skip to item 19)

16. PERIOD OF PERFORMANCE

1/18/2012

17. CONTRACT NO.

438P2340

18. NAICS CODE AND SMALL BUSINESS
SIZE STANDARDS

334510

500 Employees

19A. NAME AND ADDRESS OF CONTRACTOR(S)

DMS HEALTH TECHNOLOGIES, INC
2101 N UNIVERSITY DR

FARGO ND 58102-1816

19B. BUSINESS TYPE

☐ SDVOSB

☐ WOSB

☐ VOSB

☐ SB

☐ 8(A)

☒ LARGE

☐ HUBZONE

20. TOTAL DOLLAR VALUE
OF PAST PROCUREMENT
\$1,487.50

21. METHOD OF
PROCUREMENT

MICRO PURCHASE

22. NUMBER OF RESPONSES RECEIVED FROM
MOST RECENT PROCUREMENT

____ 8(a)

____ WOMAN OWNED

____ HUBZone

____ SMALL BUSINESS

____ SDVOSB

____ VOSB

1

LARGE
BUSINESS

23A. PRINT NAME AND SIGNATURE OF CONTRACTING
OFFICER

JOHN BECKER

23B. DATE SIGNED

04-04-2012

24A. SIGNATURE HEAD OF CONTRACTING ACTIVITY

Danyla Berg

24B. DATE SIGNED

4/9/12

25. INFORMATION SUBCONTRACTING GOALS

____ % SERVICE-DISABLED VETERAN-OWNED
SMALL BUSINESS

____ % VETERAN-OWNED
SMALL BUSINESS

____ % SMALL DISADVANTAGED
BUSINESS

____ % HUBZONE
SMALL BUSINESS

____ % WOMEN-OWNED
SMALL BUSINESS

____ % SMALL BUSINESS

26A. SIGNATURE VA OSDBU REPRESENTATIVE

26B. DATE SIGNED

26C. EXPIRATION DATE OF VA FORM 2268

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs

Network 23 Contracting Office (NCO 23)
VISN 23, 438 Medical Center
2501 W. 22nd Street
Sioux Falls, SD 57105

Transaction Number: 438-12-3-1115-1119

2. Nature and/or Description of the Action Being Processed:

The proposed action is for a firm-fixed price contract with DMS Health Technologies, Inc., for emergency repair of the Philips Mobile Fluoroscopy system, BV Pulsera C-Arm. This emergency repair is required and necessary due to system outage.

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

This contract will be used to provide immediate emergency repairs to restore system use. The services will include only original equipment manufacturer (OEM) parts. The vendor possesses proprietary software and necessary keys to provide repairs, troubleshooting, calibration and certification. Factory-trained (by Philips) and certified technicians have the capability and expertise in repairing, troubleshooting, calibrating and certifying the BV Pulsera C-Arm system.

4. Statutory Authority Permitting Other than Full and Open Competition:

Statutory authority permitting other than full and open competition is unusual and compelling urgency (FAR 6.302-2) and only one responsible source and no other supplies or services will satisfy agency requirements (FAR 6.302-1).

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Unusual and Compelling Urgency (FAR 6.302-2). The VA Medical Center's need for the services is of such an unusual and compelling urgency that the Government would be seriously injured unless DMS Health Technologies is permitted to perform the emergency repairs. Delay in award would result in serious injury, financial and other hardship to the facility.

Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements (FAR 6.302-1). The proposed source for this action is DMS Health Technologies, Inc., 2102 North University Drive, Fargo ND 58102-1816. In our immediate region, there is one vendor/contractor that can provide services for this task. Without using local resources we would have to choose a vendor/contractor in Minneapolis. By using the local vendor/contractor, we save time and money by having the job performed by the local company who is very familiar with our needs (past and present). In addition, DMS Health Technologies, as a Philips Representative, is the only vendor/contractor with access to the

proprietary software and flash drive needed to diagnose and fix the Philips BV Pulsera C-Arm System. Only original equipment manufacturer (OEM) parts may be used in the repair.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

The Philips BV Pulsera C-Arm system is a proprietary piece of equipment and only Philips software and OEM equipment items are compatible with the existing system. Services can only be performed by DMS trained technicians. Only DMS Philips factory trained and certified technicians may repair, possess proprietary software, troubleshoot, calibrate or certify the BV Pulsera system. Therefore, competition will not be available for this specific requirement.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

According to FAR Part 13.106(a), the price has been determined to be fair and reasonable using previously paid prices as well as other prices available through market research.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The Philips BV Pulsera that is in need of repairs is a unique item at the Sioux Falls VA Medical Center. Delays in the repair of this system could result in canceled surgical procedures. DMS Health Technologies is the only known vendor with local service technicians.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

All facts supporting this justification and approval for other than full and open competition have been stated within this document.

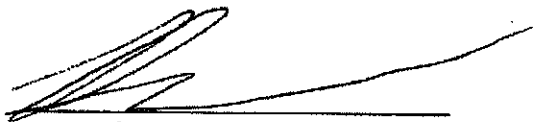
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

See Section VI above

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:

Barriers to competition will not be able to be overcome due to the proprietary characteristics of the software that only the manufacturer has access to.

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.




Brian Thorson
Biomedical Technician
Sioux Falls, SD #438

4/04/12
Date

13. Approvals in accordance with FAR 6.304

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



John Becker
CONTRACTING SPECIALIST
Sioux Falls, SD #438

4/5/12
Date

b. **FCM:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. *This signature may be the VISN NCM/PCM if the Contracting Officer and Contracting Supervisor is the same individual.



Crystal Dobbins
FACILITY CONTRACT MANAGER (FCM)
VISN 23

4/5/12
Date