

Attachment B: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For Other Than Full and Open Competition

Contracting Activity: Department of Veterans Affairs, VISN 04, VA Pittsburgh Healthcare System, University Drive Division. 2237#646-12-3-622-0147

Nature and/or Description of the Action Being Processed: Brand Name Only Sole Source and Only One Responsible Source, Sole Source Award, to Blue Phantom.

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

Blue Phantom 1800 FAST Ultrasound Training Model. Estimated Contract Amount \$25,283.29

Statutory Authority Permitting Other than Full and Open Competition: 41 USC 253 (c) (1), as implemented by FAR 6.302-1.

- (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- (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 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):

In July 2009, the Acting Under Secretary for Health (USH), Veterans Health Administration, U.S. Department of Veterans Affairs approved the establishment of SimLEARN, a national simulation training, education, and research program for the Veterans Health Administration (VHA). This purchase supports this directive.

Therefore, Department of Veterans Affairs (DVA) has a minimum need to purchase a Blue Phantom FAST:1800 FAST Ultrasound Training Model.

Vendors of ultrasound task trainers were evaluated at the ISMH conference in January 2012. The Blue Phantom model was found to meet the needs of our simulation center and was cost effective in comparison to other models. Other vendor models were significantly higher priced.

Therefore, it is essential to the Government's needs to purchase the Blue Phantom Brand FAST:1800 Ultrasound Training Model, for the above reasons, and since it contains unique technology that no other company's provides in a similar product, including the following:

Blue Phantom FAST models contain unique technology that would benefit the clinical training in the Pittsburgh VA that is only available from Blue Phantom. The unique features of Blue Phantom's FAST:1800 models are:

1. Anthropomorphic ultrasound model containing user defined dynamic internal bleeding of the spleen, pericardium, peri-hepatic space, and pelvis.
2. Anthropomorphic ultrasound model that can be used for echocardiographic guided pericardiocentesis procedures
3. The model is constructed using Blue Phantom's SimulexUS™ tissue which is uniquely durable and self-healing (US Patent # 7,255,565)

Blue Phantom is also the sole exclusive manufacturer and supplier of their FAST:1800 Ultrasound Training Model in the United States.

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

N/A. There is only one available source. Notice of Intent to Sole Source will be posted to Fedbizopps for 3-5 days.

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

The price quoted by Blue Phantom is the same price they sold the same equipment to another entity (Great Plains Regional Contracting Office, MCAA GP BAMC, Fort Sam Houston, TX, under Invoice Number 10171, dated 9/9/2009, that is under Action Index S23 in the Contract File.

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

Market research was conducted to determine if the items were commercial items, and since the items have been sold in the Commercial Marketplace and to the US Government, the items are considered commercial items. In addition, Blue Phantom has indicated they do not sell this equipment off any FSS Contract. Furthermore, Vendors of ultrasound task trainers were evaluated at the ISMH conference in January 2012. The Blue Phantom model was found to meet the needs of our simulation center and was cost effective in comparison to other models. Other vendor models were significantly higher priced.

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

In fiscal 2011 a simulation needs survey was conducted to assess the learning/educational needs of multiple service lines within VAPHS to include CCSL, MSSL, Surgical Specialty, Primary Care, Quality and Patient Safety, and Nursing Education. Specific skill sets were categorized by the respondents as being essential for staff training, education and the promotion of patient safety. The use of ultrasound in critical care for diagnosis and certification was rated as a desired end product. Task Trainers provide a safe and effective learning environment in which staff can learn and enhance their skills without any risk to patients or their own safety. This task trainer was chosen for its versatility, cost effectiveness, and acceptance by VAPHS clinical faculty.

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

Vendors of ultrasound task trainers were evaluated at the ISMH conference in January 2012. The Blue Phantom model was found to meet the needs of our simulation center and was cost effective in comparison to other models. Other vendor models were significantly higher priced.

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:

A Notice of Intent, along with the Other than Full and Open Competition Memorandum, that includes the Brand Name Only Sole Source and Only Available Source Justification will be posted on the Government Point of Entry (GPE) Fedbizopps, for 3-5 days, prior to the Award of any Contract.

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.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)



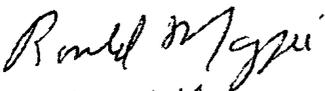
Name: Mary Ellen Elias
Title: Nursing Educator
Clinical Support Services

4-19-2012

Date

Approvals in accordance with FAR 6.304:

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



Name: *Ronald Mazzei*
Title: *Contract Specialist*
Facility: *HJH*

Date *4/19/12*

VISN/PCA OA: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name Date
Title
Facility

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



Name Date
Network Contract Manager
VISN/PCA

Date *4/19/2012*

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

Name Date
Director

Service Area Office, East

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.

Norbert Doyle
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

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.

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

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.

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