

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA246-17-AP-3417

Purchase Request: 652-17-1-165-0046

1. Contracting Activity:

Department of Veterans Affairs, VISN 6
100 Emancipation Dr.
Hampton, VA 23666

Richmond VA Medical Center
1201 Broad Rock Blvd
Richmond, VA 23249

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

This acquisition is a brand name only acquisition. This is a new acquisition to upgrade existing General Electric Muse V8 Cardiology hardware and software to the updated General Electric Muse V9 Cardiology hardware and software. The Contracting Officer expects to award a firm-fixed-price contract.

FAR13.5 Simplified Procedures for Certain Commercial Items:

This procurement is for an upgrade to the GE Muse V8 System to the current Muse V9 System. IAW FAR 13.5 this brand name justification is exempt from the requirements in FAR Part 6.

This brand name justification is drafted IAW FAR 6.303-2 Content.

This approved brand name justification shall be advertised prior to the solicitation.

The Government has the intent to sole source this acquisition to TrillaMed, LLC. (Certified SDVOSB) IAW VAAR 819.7007.

The sole source determination is a business decision based on the discretion of the Contracting Officer.

The Contracting Officer has verified that TrillaMed, LLC is registered in VIP and a verified SDVOSB.

TrillaMed, LLC is the only authorized SDVOSB distributor of GE Healthcare products.

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

This acquisition is for the complete GE Muse V9 System upgrade to the already in place GE Muse V8 System.

The estimated value of this acquisition [REDACTED]

The estimated delivery timeframe is 30 days ARO.

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

- (X) (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;

FAR13.5 Simplified Procedures for Certain Commercial Items:

Any deviation from the brand name General Electric Muse V9 System upgrade will cause substantial duplication of cost to the Government that is not expected to be recovered through competition IAW FAR 6.302-1(a)(2)(ii)(A). The equipment and software is proprietary and compatible only with General Electric products. TrillaMed, LLC is the only SDVOSB authorized distributor.

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

The hardware and software of the GE Muse V9 System are being incorporated and upgraded from the GE Muse V8 System that is already in use at the Richmond VA Medical Center. The equipment is highly specialized and proprietary in nature. If the Richmond VA Medical Center were to acquire a completely new system to replace the Muse V8 it would cause substantial duplication of cost to the Government that is not expected to be recovered through competition IAW FAR 6.302-1(a)(2)(ii)(A).

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

Market Research was performed by the Contract Specialist and found that the hardware being acquired is available from General Electric and its distributors. The software being acquired is proprietary and only available from General Electric and its distributors.

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

The Contract Specialist expects the offer provided by the TrillaMed, LLC will be fair and reasonable based on past offer history and Contracts to include GSA Contracts for similar items.

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

Market Research was conducted via the World Wide Web, GSA, Mandatory Source of Supply Listings, FPDS, VIP, and teleconferences with subject matter experts.

The Contract Specialist located a Service Disabled Owned Small Business, TrillaMed, LLC, and GE Healthcare as capable contractors for this acquisition. The Muse V9 upgrade is only available at this time via the open market.

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

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

TrillaMed, LLC (SDVOSB)(Distributor)
GE Healthcare (Large)(Manufacturer)

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:

The only way to remove the brand name requirement for this acquisition is to replace the entire GE CardioLab equipment with a similar product. Full and open competition should be expected upon the system being replaced at the end of the CardioLab's useful life.