

Attachment 2: Request for Justification and
Approval for Other Than Full and Open Competition

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 1, White River Junction Medical Center transaction number 405-12-2-7042-0016. This request is for the relocation of the Angio suite x-ray equipment from its current location to the new Imaging Center. This is a request for less than full and open competition for the contracting action.
2. **Nature and/or Description of the Action Being Processed:** This request is to have the original manufacturer move the existing Angio suite x-ray equipment from its existing location to the new Imaging Center location. The IGCE is the 2237 transaction # 405-12-2-7042-0016. This shall be a fixed price contract. The actions required are to de-install the existing equipment, move stage it in the new building, re-install it in the new location and test, calibrate and certify its operation. Please see the SOW.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Services required are those needed for de-installing the equipment and re-installing the equipment in a new location. They should be minimal unless parts are damaged during the de-installation or in the move. Services required are those of a qualified installer for this equipment. The expected cost of this project/move is \$45,000.00
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;
 - (X) (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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

a. Only One Responsible Source (FAR 6.302-1) Since many of the parts and all of the software involved in the operation of this device are only available from the original equipment manufacturer they are the only vendor that will be able to move this equipment in a timely manner. The estimated schedule is six weeks during which time WRJ VA will be unable to offer the services provided by this equipment. These services

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are critical services and all patients will have to be sent to other facilities for treatment while this equipment is out of service. Time is critical and this move can be completed in the fastest manner by the OEM.

b. Unusual and Compelling Urgency (FAR 6.302-2, 6.303-2(a)(9)(ii)) – The move of this equipment and the timing are critical to hospital operations. We have only one Angio suite and the move will take an estimated six weeks. The opening of the new Imaging Center and specifically this treatment room are scheduled for mid April, 2012. Due to the floor plan of the new building all rooms must be opened for use at the same time. There is no way to accommodate construction activities while treating or examining patients in the space. These circumstances make the timing critical and the award of this contract urgent and compelling.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** None. I am unaware of any contractors that would have ready access to any special or proprietary parts needed for this equipment move.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer has verified with GE that they charge the same amounts for these services to the Government as they do to all non-governmental entities. Therefore the Contracting Officer has determined that the anticipated cost to the Government is fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** None. I am unaware of any other contractors that can provide the parts both proprietary and other wise in a manner which will accomplish the work required.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None. I am unaware of any contractors that would have ready access to any special or proprietary parts needed for this equipment move.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None. I am unaware of any contractors that would have ready access to any special or proprietary parts needed for this equipment move.
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:** None. There are proprietary parts involved in the installation of this equipment. I do not know how to help any other vendor gain access to those parts. This is expected to be a one time cost as we do not expect to build another building for radiology in the foreseeable future.
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.
(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

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3/6/2012

X 

Lee N. Winslow

Name
Title
Facility

Date

13. Approvals in accordance with FAR 6.304 *This part is filled out by Contracting Staff as part of the Justification*

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

Jeffrey Allen Reed

Digitally signed by Jeffrey Allen Reed

DN: cn=Jeffrey Allen Reed

Date: 2012.03.06 15:23:59 -05'00'

Name
Title

Date

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Facility

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- b. **VISN/PCA QA:** 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.

Name
Title
Facility

Date

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

Craig Toland
Digitally signed by Craig Toland
DN: cn=Craig Toland,
o=Contracting, ou=VISN 1,
email=craig.toland@va.gov, c=US
Date: 2012.03.12 11:58:10 -04'00'

Name
Network Contract Manager
VISN X

Date

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

Jeffrey R. Ryan
Director
Service Area Office, East

Date

- e. **VHA HCA's 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.

Joseph A. Williams, Jr. RN, BSN, MPM
Head of Contracting Activity (HCA)
Veterans Health Administration

Date

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- f. **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
Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date