

**DEPARTMENT OF VETERANS AFFAIRS**

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

Acquisition Plan Action ID: VA262-17-AP-3205

**1. Contracting Activity:**

Department of Veterans Affairs  
Network Contracting Office 22  
4811 Airport Plaza Drive Suite 600  
Long Beach, CA 90815

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

This is a request for the rental of a Mobile Computed Tomography (CT) Scanner for a 5-month period at the VA Loma Linda Healthcare System. Contractor shall provide all expertise, trained personnel, equipment and supplies as necessary to deliver and install this unit at the VA Loma Linda Healthcare system.

The intent of this procurement is to provide interim mobile CT scanner availability to continue patient access to CT scanner services during construction and replacement of facilities' current CT scanner. Contractor's equipment shall be state-of-the art in order to achieve high quality scans for VA patient.

This requirement is considered extremely urgent since the VA Loma Linda Healthcare system is anticipating the new CT scanner installation to start in the next couple of months. The VA does not have the capability to perform enough CT scans to meet the demand of the growing Veteran population.

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

- A. The Contractor shall provide a 64 Slice Mobile Computed Tomography (CT) Scanner required for providing CT exams to VA beneficiaries of the VA Loma Linda Healthcare System (VALLHCS), 11201 Benton Street, Loma Linda, CA 92356. The resulting contract will provide equipment, delivery/ set-up of equipment, any required maintenance during the contract term, and pick-up/transport of the equipment to the contractor home site at the termination of the contract. Required services include: Electrical Service (480 Volts, 3 Phase, 150 Amps using a five wire system with 50 foot cable), Wheelchair Lift, Support (unit shall be self supporting and have a rear stabilizer stand and adjustable jack legs in front to accommodate leveling), Telephone and Data Interface (telephone and data hook-ups to interface with facility's telephone and IT/PACS Systems), Medical Device Operating Systems (telephone and data hook-ups to interface with facility's telephone and IT/PACS Systems), CT Power Contrast Dual Head Injector, An orientation to the operation of the components of the mobile specialty vehicle including safety features, operation of the wheelchair lift, location of emergency off switch, and any other features required for patient and employee safety.

**B. Estimated DOLLAR VALUE:**

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 3: Request for Sole Source Justification Format >\$150K

- a. Five month rental: \$28,500.00 per month, total rental amount \$142,500.00
- b. Installation and removal: \$4,500.00
- c. Hard drive replacement: \$6,758.00
- d. Cleaning fee: \$300.00
- e. Training: \$3,200.00
- c. **Total amount: \$157,258.00**

C. Required Delivery:

The required date for this requirement including delivery and installation is March 13, 2017.

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

- ☐ (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;

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

***Authorized or Required by Statute (FAR 6.302-5):***

FAR Part 6.302-5 allows for the procurement of items through other than full and open competition; when a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source, or the agency's need is for a brand name commercial for authorized resale. The vendor Aviate Enterprises Inc. is a Service Disabled Veteran Owned Small Business (SDVOSB) contractor as certified by Vetbiz.gov.

The statute identified under Public law 109-461 Title 38 Veteran's Benefits U.S. Code 8127 allows sole source contracts above the simplified acquisition threshold to be awarded to a small business concern owned and controlled by veterans using procedures other than competitive procedures so as long as the following are met:

- 1. Such concern is determined to be a responsible source with respect to performance of such contract opportunity;
- 2. The anticipated award price of the contract (including options) will exceed the simplified - acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act ( 41 U.S.C. 403) but will not exceed \$5,000,000;

In the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 3: Request for Sole Source Justification Format >\$150K

This award falls under \$5 million. This SDVOSB has a successful record of providing equipment and performing services to several VA medical centers prior and has a fair and reasonable price based on Independent Government Cost Estimate (IGCE) and market research. System for Award Management (SAM) was also checked for EPLS and found no active exclusion for this SDVOSB. By meeting all three (3) requirements IAW the statute identified under Public Law 109-461 Title 38 Veteran's Benefits U.S. Code 8127, this procurement meets the requirement of FAR part 6.302-5.

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

Market research on FSS and past procurement was conducted and potential sources were contacted.

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

Based on the price range established through market research and past procurement for this requirement, Aviate Enterprises' cost is far less compared to other vendors and fair and reasonable.

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

As result of market research conducted on FSS and past procurement, it was determined that Aviate Enterprises Inc., a SDVOSB, has capability to provide the requirement meeting all the criteria with lowest price.

It was found that Aviate Enterprises Inc. has recently provided this identical rental service to VA Greater Los Angeles Healthcare System successfully.

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

This procurement has an urgent need to meet the anticipated required date continue providing vital services to veteran patients.

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

Salvadorini Consulting LLC, Reliable Staffing Services Inc. and Aviate Enterprises Inc.

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:

Not applicable as stated authorized statute and applicable public law allows sole source contracts to be awarded to a veteran-owned small business.

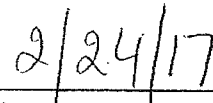
12. Requirements Certification:

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.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 3: Request for Sole Source Justification Format >\$150K



Alex Yi, MD  
Chief, Imaging Service  
Loma Linda VA - 606

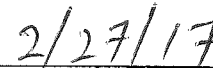
  
Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

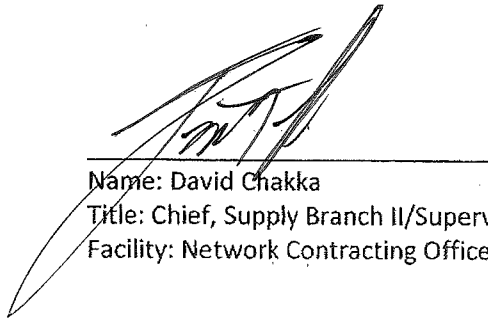
- a. Contracting Officer or Designee's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



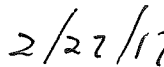
Name: Won Chae  
Title: Contract Specialist  
Facility: Network Contracting Office VISN 22

  
Date

- b. Director of Contracting / Designee (Required over \$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.



Name: David Chakka  
Title: Chief, Supply Branch II/Supervisory Contract Specialist  
Facility: Network Contracting Office VISN 22

  
Date