

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

1. Contracting Activity: Department of Veterans Affairs, Network 16 Contracting Activity, Biloxi Medical Center. Justification for Other Than Full and Open Competition for 2237# 520-12-2-331-0059.

2. Nature and/or Description of the Action Being Processed: Oculus Pentacam HR Basic, High Resolution Scheimpflug Camera with Basic Software Package and related equipment/accessories. This requirement is an addition to existing Oculus equipment already owned and operated by the VA Gulf Coast Veterans Health Care System. A firm-fixed price commodities contract is contemplated.

3. Description of Supplies/Services Required to Meet the Agency's Needs: One each of the following: Oculus Pentacam HR Basic, High Resolution Scheimpflug Camera with basic software package including XYZ base, chinrest, power supply, USB cable, dust cover, 21.5" iMac, wireless mouse, mini-keyboard and height adjustable table; Refractive Software Package for Pentacam Basic; Cataract Software Package for Pentacam Basic; Contact Lens Fitting Software; 3D Cataract Analysis with Pentacam Nucleus Staging Display; Belin/Ambrosio Enhanced Ectasia Software; Holladay Report; Phakic IOL Simulation Module; and Shipping and Handling. The total estimated value of the acquisition is [REDACTED]. The performance period is 60 days After Receipt of Order (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;

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

Only One Responsible Source (FAR 6.302-1) – The VAGCVHCS' Ophthalmology Department currently owns and operates existing Oculus Pentacam HR Equipment. For continuity of research and for continuity of patient care, it is critical that our ophthalmologists utilize the exact same highly specialized equipment throughout the department. The only other alternative would be to replace existing ophthalmology equipment in addition to procuring the new equipment that is required. This would then, in-effect, double the cost of the VA's

requirement because not only would we have to purchase the new equipment but we would also have to purchase other equipment to replace the existing equipment so that all of the equipment would be the same and from the same manufacturer. Again, continuity of research and continuity of patient care is critical for our Ophthalmology Department and having the same manufacturer's equipment throughout the department will help ensure that this takes place.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: This requirement will be initially posted on the Federal Business Opportunities website in a Pre-Solicitation Notice stating that we intend to negotiate directly with Oculus Incorporated on a sole-source basis. We will correspond with any other companies that express an interest in this requirement.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The undersigned contracting officer does not anticipate any problems with determining the anticipated cost of this requirement to be fair and reasonable. The contracting officer will seek copies of published price lists that reflect the prices being advertised for the equipment. In the absence of any published price lists, the contracting officer will seek copies of contracts, purchase orders, or invoices that reflect the same or similar equipment that was sold to other Government or commercial customers.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Market Research was not conducted because the Ophthalmology Department requires continuity of ophthalmology equipment in order to be able to conduct the same level of research and in order to be able to provide continuity of care for our Veterans. The only way to be able to do this is to procure new equipment from the manufacturer from whom we currently own the same equipment. It is not economically feasible to replace the current equipment and also purchase new equipment at the same time. The best value to the Government at this time is to purchase additional equipment that matches existing equipment already in-house.


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: If any other commercial sources of supply express an interest in this acquisition from viewing the Federal Business Opportunities website Pre-Solicitation posting, we will correspond with them concerning this requirement.

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: If further expansion at the Biloxi VA occurs or if a total replacement of current ophthalmology equipment becomes necessary because of newer technology, we will research other company's equipment and related products available in the commercial marketplace and on VA and GSA Federal Supply Schedules in order to maximize competition.

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

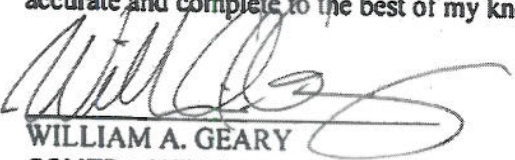
cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


C. NEAL ELLIS, MD
CHIEF SURGERY SERVICE
VAGCVHCS - BILOXI MEDICAL CENTER

5/8/12
Date

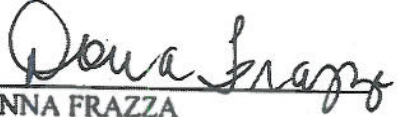
13. Approvals in accordance with FAR 6.304

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


WILLIAM A. GEARY
CONTRACTING OFFICER
BILOXI, NETWORK 16 CONTRACTING ACTIVITY

5/15/2012
Date

b. CHIEF P&C: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


DONNA FRAZZA
CHIEF, PURCHASING AND CONTRACTING
BILOXI, NETWORK 16 CONTRACTING ACTIVITY

5/15/12
Date