

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, Veterans Administration Caribbean Health Care System (VACHS) San Juan Medical Center. Transaction number for this service is 672-12-2-510-0248
2. **Nature and/or Description of the Action Being Processed:** This is a request for only one responsible source in order to provide necessary warranty plan to assure proper utilization, maintenance requirements, and periodic equipment certifications to The Hocoma, Lokomat System, Serial #: LS0180, VA ID: 672EE65199047 located at Spinal Cord, South Bed Tower, VACHS.
3. **Description of Supplies/Services Required Meeting the Agency's Needs:** Necessary yearly services for the renewal of the warranty plan for the Hocoma, Lokomat System to cover for the period of January 2012 through December 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):**

Hocoma Inc. is the manufacturer of the Lokomat System and only Hocoma certified service technicians, who are located only in their premises, are authorized to perform any type of maintenance and corrective services on the Lokomat System, Serial #: LS0180 (see company letter). This equipment is highly sophisticated and parts are of great costs.

Having such warranty in place will ensure consistent reliability of equipment, mandatory software updates and limited hardware upgrades, preventive and corrective maintenance, including parts, are done in an expeditious manner. Warranty includes Lokomat, Lokobasis, and Treadmill. Failure to procure this warranty will obsolete machine and the Government will incur in high costs of maintenance and repairs. Moreover, due to the efficiency of such equipment, it shall be fully operational at all times. This warranty will ensure such.

Past experience has shown that having this warranty in place has saved the Government money due to malfunctions and/or breakage of this machine. At present, equipment is not being used due to the warranty expiration.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Hocoma is the only manufacturer of the Lokomat and only Hocoma Certified Service Technician are authorized to perform service on the Lokomat System. Work performed on the Lokomat System that is not performed by a Hocoma Technicians will nullify the warranty agreement.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost is considered fair and reasonable for the government. The total amount of this service contract including one (1) base year and four (4) option years is \$85,025.00.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research conducted demonstrates that this equipment is created and patented by Hocoma, Inc. Moreover, Hocoma, Inc. has sent a letter stating that only their company technicians are capable of performing such tasks.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.

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:** Our station conducted market research and the creator of the equipment states that only their company technicians can provide all service requirements for proper machine functioning.

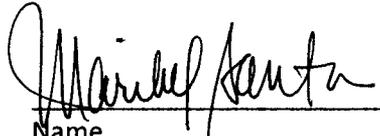
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Name
Title
Facility


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.

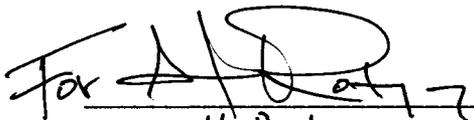


Name
Contracting Officer
Facility

March 1, 2012

Date

- b. **Product Line Supervisor (PLS):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Name *Amilda Perales*
Contracting Supervisor
Facility *San Juan*

03/1/2012

Date

- c. **DNCM/NCM:** (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

Mitchell Thomas
Network Contract Manager
VISN 8

Date

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

David M. Fitzgerald
Director

Date

Service Area Office, East

- e. **VHA HCA Review and Approval:** (over \$500,000) 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.

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

Date

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

Date

- g. **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 for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date