

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: 509-17-3-104-0786

1. **Contracting Activity:** Department of Veterans Affairs, VISN 07, Charlie Norwood VA Medical Center, One Freedom Way, Augusta, GA 30904.

2. **Nature and/or Description of the Action Being Processed:** The contractor (Siemens Medical Solutions) is to provide a Full Service Maintenance contract to maintain the following Siemens Medical Solutions equipment in proper operating condition in accordance with manufacturers specifications and the Statement of Work (SOW):

NOMENCLATURE

	<u>SYSTEM ID</u>
Symbia S	400-468754
Symbia.Net Single-User	400-495504
Symbia.Net Single-User	400-468757
Syngo.via	400-433243
Somatom Definition Flash	400-276138
MAGNETOM Verio	400-346925
MR syngo MM Workplace	400-346926
MR Chiller Model KCC/KSC 215-3SBT	400-346927
MR Chiller Model KCC/KSC 215-3SBT	400-197124
MAGNETOM Avanto	400-167898
AXIOM Sensis	400-162345
AXIOM Sensis	400-210727
AXIOM Luminos TF	400-359712
AXIOM Luminos TF (Detector Coverage)	400-359712
Sensis Dedicated SIS Server	400-363541
Biograph mCT 40	400-303990
Medrad Stellant D	400-276141
Medrad Stellant D	400-303999
Medrad Spectris Solaris	400-346933
MR syngo MM Workplace	400-360543
MR syngo MM Workplace	400-403858
MR syngo MM Workplace	400-352201
SOMATOM Definition AS+ (128)	400-433618
Medrad Stellant D	400-433619

The period of coverage for this contract shall be 90 days starting from April 1, 2017 thru June 30, 2017.

3. **FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for service maintenance contract in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions

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conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

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

For each emergency service visit, initiated at the request of the CO, the contractor (Siemens Medical Systems) shall furnish all labor, material, repair parts, (except those cited within Excluded Parts) equipment (not to include operating supplies), software updates, and travel necessary to correct any equipment to operational condition. The contractor shall guarantee that at the conclusion of any emergency maintenance performed that the equipment will meet manufacturer's factory specifications. Contractor shall maintain the equipment in accordance with the Conformance Standards and provisions outlined in the Statement of Work (SOW).

4. Statutory Authority Permitting Other than Full and Open Competition: 41 USC §253(g), as implemented by FAR 6.302. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.

- (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): The software and updates use on the following Siemens equipment is proprietary to Siemens Medical Systems:

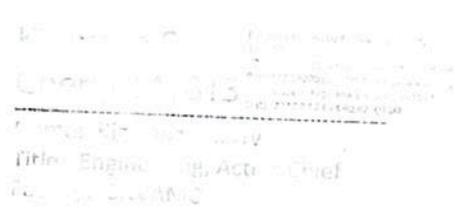
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Note: The proposal for this system has been developed based on DSCP / VA Multimodality National Agreement SPM2D1 -09-D-8314 / V797P6029B.

- Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Only Siemens service engineers have access to the proprietary software and updates used to maintain Siemens Medical Systems Imaging equipment. Note: The proposal for this system has been developed based on DSCP / VA Multimodality National Agreement SPM2D1 -09-D-8314 / V797P6029B.
- Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** 90 Day Bridge contract cost (\$235,934.09)
- Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** N/A due to proprietary nature of the software and updates. Note: The proposal for this system has been developed based on DSCP / VA Multimodality National Agreement SPM2D1 -09-D-8314 / V797P6029B.
- Any Other Facts Supporting the Use of Other than Full and Open Competition:** Software and software updates provided by Siemens Medical Systems as part of service agreement are proprietary and cannot be provided by any other vendor.
- Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
- 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
- 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)



Date