

## BRAND NAME ONLY

### JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW [FAR 13.106-1](#) (OVER MICRO-PURCHASE THRESHOLD(\$3.5K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements **explaining the absence of competition** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. ACQUISITION PLAN ACTION ID:  
[VA246-17-AP-8784](#)

1A. PROJECT/TASK  
No.

1B. ESTIMATED AMOUNT:  
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#### 2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

The Surgical Service line at the Salisbury VA Medical Center is requesting Brand Name ONLY- Neoprobe GDS System equipment console. The equipment is used to detect radionuclides that has been injected for lymph node mapping. It is used for breast cancer and melanoma surgeries that require sentinel node staging.

#### 3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE BRAND NAME, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

Salisbury currently uses a Neoprobe GDS system but it is an older model in which there are no replacement parts and the manufacturer will no longer service. This procurement is to replace the old Neoprobe system console. The equipment uses a 14mm Cabled Probe and a 14mm Reusable Bluetooth Probe Straight NPB14S - which the Salisbury VAMC already owns. This will be a brand name ONLY procurement of the console so it is compatible with the existing equipment components which the Salisbury VAMC already owns and currently utilizes.

#### 4. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

Market research was conducted by first checking GSA eLibrary and GSA Advantage to see if the requested equipment console is on FSS contract. The equipment was not found on contract. VIP Search was conducted using NAICS code 339112 and keyword "cancer". VIP listed one (1) SDVOSB- Stripes Medical LLC; Emailed on 7/17 to inquire if they can supply. They responded that they cannot provide same or equal. A Sources Sought Notice was posted on 7/14 until 7/24/17 (10 days) with no responses. A search of FedBizOpps resulted in finding a solicitation posted by the U.S. Navy and award for this equipment to FirstChoice Group America (a small business). The manufacturer of this equipment is Devicor Medical Products Inc and they are a small business. A solicitation will be posted as a small business set-aside.

**5. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. Note: COs are required to make a determination of price reasonableness IAW FAR 13.106-3. See the [Commercial Supply and Service SOP](#) for Price Reasonableness templates.*



Dori Dabbs                      7/24/2017  
Contracting Officer  
NCO 6