

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval (J&A)**

**For**

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

**Acquisition Plan Action ID:** VA263-17-AP-6660

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, St. Cloud VA Health Care System, 4801 Veterans Drive, St. Cloud Minnesota 56303-2099. Organizational activity: Omaha VA Health Care System, 4101 Woolworth Avenue, Omaha Nebraska, 68105.  
**2237:** 636-17-2-1963-0156. This is a Brand Name Only justification for a competitive acquisition.
2. **Nature and/or Description of the Action Being Processed:** This procurement is for a firm-fixed price purchase order for 8 Cysto Resection Sets for Urology by Olympus America Inc Brand Name Only equipment for the Omaha VA Health Care System in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions 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.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This procurement is for Olympus Cysto Resection equipment to be utilized by the Omaha Urology department on a daily basis. Here is the listing of items and quantities included on this procurement:

Product: Product Name	Product Description	Total Quantity
EPF-1	: EPF-1 USG-400, ESG-400, Thunderbeat Generator Electrosurgical Generator that delivers monopolar, bipolar and advanced bipolar surgical energy to support all surgical applications for open laparoscopic, and endoscopic applications.	1
WA02944A	: DUAL CHANNEL URETEROS COPE,STRA 3mm 7º autoclavable fiber optic ureteroscope, 43cm, 430mm length with two channels.	2
WA02946A	: DUAL CHANNEL URETEROS COPE,STRA Straight ocular, two working channels,. 7.5 Fr. x 430 mm. 7.5 Fr. x 330 mm.	2
WA20023A	: TELESCOPE 4MM 70DEG LONG.	1
WA2T400A	: Telescope "OES Elite", 4 mm, 0 deg, HD,a.	2
WA20021A	: TELESCOPE 4MM LONG 12DEG	2
WA2T430A	: Telescope "OES Elite", 4 mm, 30 deg,HD,g	12
WA2T470A	: Telescope "OES Elite", 4 mm, 70 deg, HD,	10
WA2T412A	: Telescope "OES Elite", 4 mm, 12 deg, HD,	14
A22004A	: A22004A TELESCOPE 110 DEGREES 4 MM	2
A4672A	: Telescope 3MM 0D AUTOCLAVA	2
A4674A	: 3MM Telescope 30Deg Wide Angle	2
WA22067A	: MONO WORKING ELEMENT, PASSIVE	13
WA22367A	: PASSIVE WORKING ELEMENT TURIS	11
A3550	: WORKING ELEMENT FOR URETHROTOME	2
A20710A	: GRASPING FRCPS OPTICAL LITHO	3

A20718A	: GRASPING FRCPS OPTICAL 12/30 DEG	3
A20713A	: BIOPSY FRCPS SPOON TYPE OPTICAL	3
A20712A	: BIOPSY FRCPS SPOON OPT 12 DEG	3
WA22017T	: Inner SHEATH LONG W DEF TIP	1
A42021A	: OES-PRO CF Rot Outer Shth 8.5MM	2
WA22018A	: SHEATH OUTER LONG 27FR	1
WA22019A	: SHEATH OUTER LONG ROT 27FR	1
WA22850A	: Working insert W/8Fr channel	2
WA22820A	: INNER SHEATH FOR WA22810A	2
WA22810A	: LASR CYSTO OUTER SHEATH 22.5FR	2
A22026A	: OUTER SHEATH 2 STPCCK ROT 26FR	10
A22040T	: INNER 24 FR W/ TIMBER FOR 26FR	10
A22022A	: OUTER SHEATH 2 STOPCOCKS ROT 28FR	2
A22042T	: SHEATH INNER W/ TIMBER 26FR	2
A4772	: 5.5mm CF HYS-Sheath 5Fr for 3MM	2
A42011A	: OES-PRO CFR inner shth for 8.5MM	2
A3551	: OPTICAL URETHROTOME SHEATH 22FR	2
A3552	: OUTER SHEATH FOR A3551 27FR	2
A20972A	: ALBARRAN DEF BRIDGE DOUBLE CH	3
A20934A	: CYSTO SHEATH 22.5F STR TIP	10
A20911A	: CYSTO SHEATH 17 FR	10
A20915A	: CYSTO SHEATH 25FR	2
A20913A	: CYSTOURETHROSCOPE SHEATH 21 FR	2
A42091A	: OES-PRO Working Insert 8.5mm 8Fr	4
WA22870A	: Adapter Greenlight laser probe	2
A3554	: BALLOON CATH GUIDE OPT URETHROTOME	2
WA22016A	: OBTURATOR OPTICAL 24Fr LONG	1
A20977A	: CYSTO BRIDGE DOUBLE CHANNEL	10
A42071A	: OES-PRO Visual Obt for 8.5MM	2
A20923A	: VISUAL OBTURATOR 21 FR	1
A20924A	: VISUAL OBTURATOR 22.5 FR	1
A20925A	: VISUAL OBTURATOR 25 FR	1
WA22830A	: OPTICAL OBTURATOR FOR WA22810A	2
A4824	: SEMI-RIGID BIOPSY FORCEPS 5FR	2
A4825	: SEMI-RIGID FOREIGN BODY GRASP 5Fr	2
A4826	: SEMI-RIGID SCISSORS 5FR	2
A20976A	: CYSTO BRIDGE SINGLE CHANNEL	10
A22071A	: OBTURATOR OPTICAL 24 FR	8
A22072A	: OBTURATOR OPTICAL 26 FR	2
WA03300A	: Light-guide cable, 2.8 mm, 3 m, CF type	13
WA00014A	: HF CABLE BIPOLAR 4M FOR ESG-400	10
A22093A	: BRIDGE FOR 70DEG TELE AND RESECT	1
A22051A	: IRRIGATION PORT 1 STOPCOCK ROT	11
A3408	: ADAPTER FOR A3405 IN RESECT SHTH	3
A3557	: KNIFE SERRATED FOR A3550	2
A3558	: KNIFE SEMI-CIRCULAR FOR A3550	2
WA35057A	: KNIFE SERRATED TYPE FOR A3550	2
A0282	: SEALING CAPS 7FR UNSTERILIZED 10EA	1
WA33026A	: PCN Adapter Ellik	11

WA35055A	: KNIFE LANCET CENTERED FOR A3550	2
A0393	: HF CABLE 3.5M VALLEYLAB	11
03664	: ADAPTER FOR ELLIK EVACUATOR	11
A0547	: TEL PROTECTION TUBE AUTOCLAVABLE	4

Delivery Date: ASAP

4. **Statutory Authority Permitting Other than Full and Open Competition:** The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1 (b) (2).
  
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This is a Brand Name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. The Omaha VA Health Care System requires the Olympus equipment listed above that is compatible with their current (and VA owned) Olympus Towers, Video Processors, and all light sources, which were purchased in FY16. The above equipment needs to be Olympus brand as no other manufacturers's equipment is compatible with the current VA owned system located at the Omaha VA HCS. All of the scopes and other equipment requested herein must be compatible with the existing VA owned Olympus equipment: Evis Exira II CV 190 tower, CV-190 Evis Exera III Videoprocessor, Evis Exera III Light Source, and Olympus 1.2x HD Camera Head OTV-S79. This will allow for existing towers to be shared that were purchased in FY16.
  
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** As this will be a Brand Name Only solicitation, market research was conducted by contacting Olympus (the manufacturer) to determine if there are authorized distributors that could provide the required items. It was identified that there are 2 SDVOSB authorized distributors. With a nonmanufacturer waiver, this solicitation will be posted to FBO as a SDVOSB set aside to that quotes can be received from those companies.
  
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Price will be determined fair and reasonable through comparing quotes received from the solicitation and market research such as, but not limited to, reviewing past purchases, list pricing and comparable items.
  
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research included a combination of examination of acquisition history, GSA Advantage and VIP. The result of the research determined that there is no other brand of cycsto resection equipment that is compatible with the current Omaha owned Olympus equipment. There are two authorized SDVOSB distributors and both have been verified in VIP. A search of VIP with NAICS 334510 resulted in 114 matches.
  
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: Market research will be conducted for future procurements to determine if there are any other manufacturer's products that are compatible with the existing Omaha VA HCS's equipment.

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.

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.

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Date: 2017/06/29 10:07:45-0500

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.

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Date: 2017/06/27 11:11:45

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Date