

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA263-17-AP-6124

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, Iowa City VA Medical Center, 2237# 636-17-2-4154-0098,
2. **Nature and/or Description of the Action Being Processed:** This procurement is for a firm fixed price contract for Olympus flexible and rigid endoscopes for the ENT clinic
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Iowa City VA is replacing flexible and rigid endoscopes for ENT clinic. The requirement is for a quantity of eight 4MM, Zero degree telescopes (\$3,344.60 each), quantity of eight 4MM, 30 degree telescopes (\$3,344.60 each), quantity of 30 ENF-V3 flexible ultra thin Rhinolaryngoscopes (\$20,707.50 each), quantity of two ENF-VH flexible video HD Rhinolaryngoscopes (\$21,480 each), quantity of two PEF-V transnasal esophagovideoscopes (\$15,180 each), and quantity of two ENF-VT2 therapeutic Rhinolaryngoscopes (\$13,520 each).

The total estimated value of the procurement is \$775,098.60.

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):** Olympus is the only manufacturer that can provide these endoscopes because the VA is not currently replacing any of the light sources or video processors because they are the most up-to-date technology available, and have several years of useful life left. The only endoscopes that can be recognized by the video processors are Olympus endoscopes because there is a microchip inside Olympus endoscopes that must be recognized by the video processor in order for the video signal to be displayed from the endoscope. No other manufacturer can provide endoscopes with a compatible microchip to be recognized by the Olympus video processors in the VA's ENT clinic. Only authorized distributors can sell Olympus products. Olympus was contacted and verified in writing that they have one authorized distributor, Alliant Healthcare, a SDVOSB. Therefore this purchase will be made from Alliant Healthcare.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** On 7/13/17 sources sought notice VA263-17-N-0914 was posted on the Federal Business Opportunities (fbo.gov). In this sources sought announcement, we indicated that we were conducting market research for qualified businesses, including socioeconomic status, for Rigid and Flexible endoscopes for the Ear, Nose & Throat Clinic at the Omaha VA Health Care System. Only 1 vendor, Alliant Healthcare, responded as an authorized Olympus distributor.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated pricing will be determined to be fair and reasonable based on comparison from pricing to the IGCE and compare to the quote received from Olympus.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A search was made on Vetbiz and 1 vendor was found that was authorized to distribute Olympus products, Alliant Healthcare.
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:** Olympus and Alliant Healthcare.
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:** VISN 23 will monitor and access the market in the future. If the system is at the end of its lifecycle, a competition procurement will be issued. If other vendors come to the market and provide similar equipment the barrier of competition will be entertained per CICA when the lifecycle of the current equipment has expired.
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.

9/13/2017

Date

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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9/13/2017

Date

Contracting Officer

- 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.

09/14/2017

Date

- c. **VHA SAO HCA Review and Approval:** 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 (if over \$13.5 million) or approve (\$700K to 13.5 million) for other than full and open competition.

Date