

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA248-18-AP-2887

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 8, North Florida/South Georgia (NF/SG) Commodities Team, Gainesville, FL 32601. This is a Justification for Other Than Full and Open Competition for Unusual and Compelling Urgency.
2. **Nature and/or Description of the Action Being Processed:** This is a Firm Fixed Price request for the for the continued lease and maintenance of Olympus endoscopic scopes. This wide variety of scopes includes the state of the art FDA approved equipment for unique endoscopic procedures performed within the NF/SG VA Healthcare System. These components play a vital role in the success of evasive and non-evasive multi-discipline endoscopic procedures.

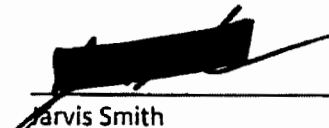
This procurement is for endoscopic scope lease in accordance with FAR 13.5 Simplified Procedures for certain commercial items and specifically FAR 13.501 Special Documentation Requirement, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 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:** NF/SG VA Healthcare System has the urgent need to continue the lease and maintenance of multiple endoscopic scopes until a new multi-year contract is in place. These scopes are an integrant piece to perform a wide range of endoscopic procedures at the NF/SG VA Healthcare Medical Facilities. This requirement ensures full compliance with standardization in sterilization and reprocessing. The estimated costs of this contract will be \$
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;
 - (X) (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):** An exception pursuant to FAR 13.106-1(b)(2) is requested to meet this brand name requirement. Brand name manufacture Olympus America Inc. is required as NF/SG VA Healthcare System operates a wide variety of

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

Olympus scopes. Meeting this specific product specification of the Olympus scopes will ensure the NF/SG VA Healthcare System is providing this unique patient care without interruption or procedure delays. Therefore, Olympus America is the only manufacture and distributor capable of providing the equipment described herein.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research shows Olympus America Inc. is the manufacture and the only distributor to lease, install and maintain Olympus America scopes currently in-use at the NF/SG VA Medical Center. The Government continuously evaluates the market availability to consider other sources when available and brand name specificity is not required.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The CO determined the anticipated cost of this procurement presented by Olympus America is considered fair and reasonable based on the Government's estimate to include previous procurement history.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** No market research beyond that mentioned in section 6 was conducted due to the urgent need to continue the lease and repair of multiple Olympus scopes currently in use. There is no known SDVOSB/VOSB that can meet this requirement.
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 America INC, 3500 Parkway Center Valley, PA 18034
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:** The Government continuously evaluates the market of comparable products to overcome the barrier to competitive restrictions. If it appears the endoscopic scopes become available and can satisfy the minimum needs of the Government without brand specificity.
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.


Jarvis Smith
Assistant Section Chief
NF/SG VAMC

11/29/17
Date

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13. Approvals in accordance with the VHAPM Part 806.3 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.

SCOTT K. BRICKEY

Scott K. Brickey
Contracting Officer
NCO 8, Commodities

Date

- b. **One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

DENISE M. ROSE

Denise M. Rose
Product Line Supervisor
NCO 8, Commodities Team

Date