

## DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 595-18-3-455-0044

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Lebanon VA Medical Center – NC04

#### Nature and/or Description of the Action Being Processed:

The Lebanon VA Medical Center (LVAMC) has a requirement for the installation of four optometry lanes. The requirement is for two lanes in each of the new community clinics in Mechanicsburg and Lancaster. Construction of the clinics is underway, and the installation will be required when construction is complete.

The required Optometry Lane package consists of: Reliance 7800ICWC Floor Model Stand

- Reliance 7000 Exam Chair
- Reliance 5346 Pneumatic Stool
- Reliance 942 Chair Glide
  - Heine mPack Unplugged Battery Pack Only
  - Heine Omega 500 LEDHQ Unplugged with HC50L Rheostat, Battery & EN50U Wall Charger
- Keeler Vantage Plus LED Wireless Indirect Ophthalmoscope
- Haag-Streit 900 BQ LED Slit Lamp with Accessories
  - Haag-Streit 5050 Selectable Beamsplitter for BQ Observer
  - Haag-Streit Short Observer Tube with Eyepiece
  - Haag-Streit Short BP/BQ/BX Applanation Tonometer
  - Haag-Streit Measuring Prism
- Reichert 11637 Phoropter with accessories
- Trial Lens Kit
- Trial Lens Frame
- Lombart CVS Micro PC Digital Acuity System
- Front Surface Mirror Set
- Lombart Standard Refraction Desk with Console/Left Handed
- Refraction Desk Prewire kit
- Lombart Standard Trimline 6 Drawer Desk Bottom with Pop-up Trial Lens Drawer/Left Handed.

The LVAMC providers presently utilize the above package of equipment at our main campus. We are requesting to purchase this equipment to maintain continuity in care offered to our Veterans as well as continue standardized equipment for operational, safety, and teaching purposes at this facility. Providers perform exams at several locations, and consistency of equipment is clinically necessary for a consistent standard of care and uniform results. Additionally, providers are trained and familiar with the listed equipment, and installing optometry lanes with the same brand-name equipment will allow them to seamlessly deliver patient care in each location without delaying care.

This will be a new firm fixed price service contract for installation of the listed equipment.

**FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for installation services of optometry lanes 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.

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

The service to be acquired is installation of four Optometry Lanes containing the following specific **name-brand instruments**.

- Reliance 7000 Exam Chair
- Reliance 5346 Pneumatic Stool
- Reliance 942 Chair Glide
  - Heine mPack Unplugged Battery Pack Only
  - Heine Omega 500 LEDHQ Unplugged with HC50L Rheostat, Battery & EN50U Wall Charger
- Keeler Vantage Plus LED Wireless Indirect Ophthalmoscope
- Haag-Streit 900 BQ LED Slit Lamp with Accessories
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The installation, including all contractor-supplied components, is expected to cost \$215,146.88. Performance is expected prior to 09/30/2018 for all locations. The clinics that will require the installs are currently under construction, with expected opening dates in FY18. Delivery/Installation will be coordinated with the COR as construction allows for Lane installation.

**3. 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 (c)(1)(ii)(A) **BRAND NAME REQUIREMENT**
- ( ) (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;

IAW FAR 6.302-1(c)(1)(ii)(A), this justification is to cover only the portion of the acquisition which is brand-name or peculiar to one manufacturer.

**4. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

A specific contractor is not required for the installation.

The unique nature of the requirement lies in the specific brand and model of equipment required, as stated in the Statement of Work. Optometry clinicians have determined those devices to be the standard of care for the patient, and essential to the creation of the optometry lanes. Each specific component was selected by the Optometry clinicians to deliver consistent care and metrics for each Veteran patient. Consistency of equipment allows for the patient, regardless of the location where testing is conducted, to have the exam results be comparable to exams performed at other locations within the system.

Additionally, as a teaching facility for our affiliate of Penn State Hershey Medical, Lebanon VAMC's student Optometry providers learn to operate and utilize the equipment as part of the curriculum. Standardized optometry lanes are required to maintain consistent teaching and learning among students at the various locations served.

Accordingly, the listed manufacturers are the only manufacturers capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.

**5. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

Market research has not indicated that the ability to install the optometry lanes cannot be solicited. Although the requirement is for specific **brand-name instruments**, it is assumed that any reputable installation firm can acquire the necessary brand-name components. It is recommended that a public solicitation be placed to ensure that all potential installation vendors are able to compete for this requirement.

**6. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:**

Based on the competition provided as this will be competed as a brand name requirement.

**7. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

Market research was conducted using the following searches:

- NAC, GWAC, and FSS, SAC, and NASA SEWP - Not Available
- GSA - available on GSA
- VetBiz - NAICS 339115 reveals 62 companies. It is likely there are 1 or more vendors capable of fulfilling the requirement among VOSB companies.
- FPDS - revealed 8 prior federal purchases of Optometry Lane Installation and 6 of those purchases were awarded to Lombart Brothers, Inc.

As described in Section 6 above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties.

**8. Any Other Facts Supporting the Use of Other than Full and Open Competition:** A full acquisition package was developed for this requirement.

**9. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Lombart Brothers, Inc (Lombart Instrument)  
5358 Robin Hood Road  
Norfolk, VA 23513  
757-853-8888  
[lombart@lombartinstrument.com](mailto:lombart@lombartinstrument.com)  
[www.lombartinstrument.com](http://www.lombartinstrument.com)

**10. 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 requirement to standardize the optometry lane equipment cannot be overcome, as it is clinically necessary.

**11. 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.

\_\_\_\_\_  
Name  
Title  
Facility

\_\_\_\_\_  
Date

**12. Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP](#): *This part if filled out by Contracting Staff as part of the Justification***

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.

\_\_\_\_\_  
AMANDA SAUNDERS  
CONTRACTING OFFICER  
HEINZ

\_\_\_\_\_  
3/20/2018

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.

\_\_\_\_\_  
Name  
**NCO/PCO XX Duty Title**  
Facility

\_\_\_\_\_  
Date