


VHAPM Part 819.7007/7008 Sole Source Awards to a Verified Service-Disabled Veteran-owned Small Business/Veteran-owned Small Business

Attachment 1: Request for SDVOSB/VOSB Sole Source Justification Format >\$150K

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA246-18-AP-2894

1. **Contracting Activity:** Department of Veterans Affairs, VISN 06, Network Contracting Office 06, 100 Emancipation Drive, Hampton, Virginia 23667, 637-18-1-996-0008
2. **Nature and/or Description of the Action Being Processed:** This is a Brand Name Only Requirement for Maquet CardioSave Intra-Aortic Balloon Pump (IABP), supporting hardware and accessories for the Asheville VAMC. This requirement shall be executed as a sole source to Opsis Technologies Group LLC under the authorities cited in Para. 4 of this document.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This Requirement is for Maquet CardioSave Intra-Aortic Balloon Pump (IABP) and supporting accessories which will replace existing equipment, seamlessly integrate into the existing infrastructure. This Medical Center needed to replace unserviceable inventory and provide additional back up equipment when equipment in inventory. Additionally, the equipment must be identical to the inventory within the clinics of the Asheville VAMC Campus. Estimated Value of this procurement is approximately \$354,878.86.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §3304(a)(5), 38 U.S. Code § 8127, as implemented by FAR 6.302-5 (Authorized or Required by Statute). COs may use the non-competitive (sole source) procedures authorized in VAAR 819.7007 or 819.7008 up to \$5,000,000. Check the specific VAAR clause used below:
(X) 819.7007 Sole source awards to a verified service-disabled veteran-owned small business; or
() 819.7008 Sole source awards to a verified veteran-owned small business
5. **Demonstration that the Contractor's Unique Qualifications and/or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This device utilizes

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The Contracting Officer relied on similar requirements for the VISN 06 Clinics and Program Office expertise. VIP was utilized to validate Opsis Technologies Group LLC claim to SDVOSB Status. Furthermore a sources sought was published 01/17/2018 – 1/23/2018 with no response.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The business relationship between Opsis Technologies Group LLC and Getinge has

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formed a price-lock to which fact that Opsis Technologies Group LLC is prohibited from selling Getinge products to the VA for any more than the Getinge's FSS price.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons

Market Research Was Not Conducted: Market research was conducted via utilizing the World Wide Web, Google, GSA Advantage, Medsur Catalog Search Tool hosted by the National Acquisition Center (CSST), and Industry Vendor Information Pages (VIP). As a result of all market research conducted it was found that most items required to meet the minimum needs of the Government are available via Getinge's FSS Contract V797P-4452B. VIP returned 135 Service Disable Veteran Owned Small Business (SDVOSB) and 24 Veteran Owned Small Business (VOSB) under the applicable NAICS Code of 334510. VIP was also utilized to validate Opsis Technologies Group LLC's claim to SDVOSB Status. Furthermore, Getinge asserted that "Opsis Technologies Group LLC has been selected by Getinge as its exclusive authorized SDVOSB partner".

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

N/A

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

Getinge USA, Inc.	Opsis Technologies Group LLC.
1777 East Henrietta Road	2797 South 800 West
Center Valley, PA, 18034-8229	Syracuse, UT, 84075
Lar Rochester, NY 14623	SDVOSB – Cve Verified
Large Business	

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:

Efforts to overcome and remove barriers of competition shall be addressed upon the next opportunity for VISN 06 Medical Centers refresh of both Hardware and Supporting Software. With VISN 06's recent activity in standardizing at an enterprise level, it has become cost prohibitive to do now.

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Franki Davis

03/29/2018
Date

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3/30/2018

Gregory D Evans

Date _____