

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION DUE TO SOLE SOURCE REQUIREMENT

REQUIRED INFORMATION
1. FACILITY NUMBER-NAME- CITY, STATE: <i>580-Michael E. DeBakey VAMC Houston, Texas</i>
2. VISN OR PROGRAM ACTIVITY: <i>16</i>
3. POC NAME AND TELEPHONE NUMBER: <i>Alka Mulchandani ext. 3192</i>
4. PROPOSED ACTION: Brand Name or Sole Source Procurement of: <i>SERVICE</i>
<p>5. DESCRIPTION OF REQUIREMENT: <i>Teletom Model 720 Boom Lift to include installation and renovation services. Equipment and services to be installed in Pulmonary Clinic.</i></p> <ul style="list-style-type: none"> <li>Supplies/Equipment: Technical Characteristics can include, but are not limited to model, make, part number, color, size, quantity, delivery date, etc. Services: Refer to the statement of work, statement of objective, or performance work statement for your description.</li> </ul>
<p>6. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: <i>Brand Name</i></p> <ul style="list-style-type: none"> <li>FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements</li> <li>FAR 8.405-6 Limited sources justification and approval</li> <li>FAR 13.106-1(B) SAP Requirements – Soliciting From a Single Source. If contracting officer determines that circumstance of contract action deem only one source is considered reasonable available.</li> <li>This is a reference to the part of the Federal Acquisition Regulation that allows an item to be purchased without being fully competed. This statement serves as a point of reference in case the justification is questioned. In this case, it would be reviewed for its relativity to this part of the Federal Acquisition Regulation.</li> </ul>
<p>7. NATURE &amp; BACKGROUND OF ACQUISITION TO JUSTIFY SOLE SOURCE: <i>During the past 2 years, we have developed a state of the art interventional bronchoscopy suite in which we provide a service to our veterans that is only available in a few centers of our country. The incorporation of multiple new devices/tools into our bronchoscopy suite has only had one negative consequence: "crowding" of people and equipment. In any given interventional procedure, we use several scopes almost simultaneously, fluoroscopy, several tools to destroy tumors, general anesthesia, etcetera. The minimum amount of personnel is typically 5-6 in the room, sometimes 7-8. One of the MAIN problems and an absolute HAZARD to personnel and patients are the multiple running cables on the floor and around the surgical table. Many of them can be obviated with a boom system. People constantly trip on them, and this can injure them or the patient. Additionally, with so many people and tools, it is many times hard to ohave a clear view of all screens, a problem that would also be obviated with a boom system and an "integration" system that allows to change any input into any screen (the most visible one at each particular time of the procedure). Not being able to see clearly the screens can definitely impact patient care. Other systems have been installed in other areas of the facility. In order to maintain uniformity and standardization, we are requesting Bertold to provide the services.</i></p> <ul style="list-style-type: none"> <li>Describe the minimum salient characteristics that will meet your needs. This is the area where you explain why no other vendor anywhere can supply this requirement for you. Acceptable reasons for "sole source" include (but are not limited to): bound by contract, technical order specification, warranty service, or regional standardization. If the reason for sole source is determined locally, offer what market research or clinical guidelines led to the decision.</li> </ul>
<p>8. PROVIDE INFORMATION SHOWING MARKET RESEARCH WAS CONDUCTED: <i>Market Research has been conducted in accordance with FAR PART 14. Findings has revealed no other companies who provide this equipment. NCO-16 will be negotiated on a Sole Soure Contract.</i></p> <ul style="list-style-type: none"> <li>This justification is for why no other vendor anywhere can supply your item or service and still meet your needs. Your rationale for barring other vendors is crucial to your justification. If you already cited the statutory</li> </ul>

reason for a sole source, state, "See paragraph 7". If your rationale for a sole source purchase was determined locally, offer an explanation of the source selection process you went through to determine your sole source requirement. Unacceptable reasons include (but are not limited to) personal taste, good relationship with existing vendor, or one's comfort level with a particular vendor.

- Describe the similarities and differences in vendors for the product that you are aware of that could assist or prevent the purchaser from obtaining the best value for you. Be sure to name the vendors. This section will help the purchaser decide which vendors are available to purchase this item from. If market research was not conducted, state it AND the reason that there was no market research.

**9. PRICE ANALYSIS "FAIR AND REASONABLE":** *Fair and Reasonable Pricing will be determined by previous pricing history by this VA facility.*

- This section is mandatory. Do not leave this section blank. Even though this must be purchased from only one source, you must still obtain a quote from the vendor for this purchase. This way you are able to verify added costs for delivery, your geographic region, or installation. Cite the pricing here. If you purchased this item before, compare this price to what you paid last time. Cite this as well in your answer.

**10. LISTING OF SOURCES EXPRESSING INTEREST IN THIS REQUIREMENT:** *Berchtold INC.*

- Enter or attach contact information for sources you cited in the description of your source selection. If sole source by statute, regulation, or standard, list contact information for that source here.

**11. FUTURE ACTION TO OVERCOME BARRIER TO OTFOC:** *Having these services provided for the Pulmonary Clinic is not a reoccurring procurement*

- This section fulfills the legal requirement to affirm that the selection of a singular source for this requirement is an anomaly and that action will be taken in the future to ensure full competition in the future. The reason this is needed is to describe how the government will make an effort in the future to fully comply with standard acquisition practices and not resort to creating unnecessary partnerships with few vendors at the risk barring full competition to circumvent the FAR. By signing this, you are telling the contracting officer to avoid the processes that assure best value and fairness in this acquisition. If the reason for sole source purchase is because of statute, standard, or regulation, enter "THE SOURCE FOR THIS PURCHASE IS REQUIRED IAW." Cite this as well in your answer.

SUBMITTED BY:

Signature: 

Department/Requestor

Date: 7/31/12

SIGNED BY:

Signature: 

Warranted Contracting Officer

Date: 07/31/12

APPROVED BY:

Signature: 

NCM or Product Line Supervisor

Date: 7/31/2012

Note: Anything that is over 500K will need to strictly follow the SOP J&A Attachment.