

## DEPARTMENT OF VETERANS AFFAIRS

### Brand Name Justification and Approval (J&A)

Acquisition Plan Action ID: VA260-17-AP-7531

1. **Contracting Activity:** Department of Veterans Affairs, SAOW, Network Contracting Office 20; Department of Veterans Affairs, VISN 20, Boise Medical Center, 531-18-23-9961-0021 (replaced 531-18-1-203-0008).
2. **Nature and/or Description of the Action Being Approved:** Purchase of Stryker Endoscopy arthroscopes and laparoscopes including camera heads and light cords.
3. **Description of Supplies/Services Required to Meet the Agency's Needs (including estimated value):** The items which will be purchased are Brand Name items from the Stryker 1488 Series, as follows:

| Item # | Part No.   | Qty | Description  |
|--------|------------|-----|--|
| 1      | 502244030  | 4   | 2.7MM 30° AUTOCLAVABLE STUBBY ARTHROSCOPE W/ SPEEDLOCK           |
| 2      | 502104030  | 6   | HD 4MM X 30° ARTHROSCOPE SPEEDLOCK A/C                           |
| 3      | 502104070  | 3   | HD 4MM X 70° ARTHROSCOPES, SPEEDLOCK, A/C                        |
| 4      | 1488610122 | 10  | 1488 HD CAMERA HEAD WITH INTEGRATED COUPLER                      |
| 5      | 502104010  | 2   | HD 4MM X 0° ARTHROSCOPE SPEEDLOCK A/C                            |
| 6      | 502104030  | 2   | HD 4MM X 30° ARTHROSCOPE SPEEDLOCK A/C                           |
| 7      | 502104070  | 2   | HD 4MM X 70° ARTHROSCOPES, SPEEDLOCK, A/C                        |
| 8      | 502503010  | 10  | PRECISION Ideal Eyes 5.5MM 0°, HD AUTOCLAVABLE LAPAROSCOPE 30CM  |
| 9      | 502503030  | 10  | PRECISION Ideal Eyes 5.5MM 30°, HD AUTOCLAVABLE LAPAROSCOPE 30CM |

The estimated value of this procurement is \$299,921.83

4. **Statutory Authority Permitting Other than Full and Open Competition:**  
FAR 6.302-1(c)(1) An acquisition or portion of an acquisition that uses a brand-name description or other purchase description to specify a particular brand name, product, or feature of a product, peculiar to one manufacturer. No other items are compatible with the current system already in use at the VAMC.
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited:** These items are used for different laparoscopic procedures (general laparoscopy, knee arthroscopy, ankle arthroscopy, shoulder arthroscopy, and wrist arthroscopy). It is mostly replacement for aging laparoscopic equipment already held, with the goal to standardize with current (new) video platform equipment. The reason for standardization is that we do not have to purchase additional equipment to convert or utilize with these scopes.

The current integration system, Stryker SDC Integration System, is included in all 4 OR's. This is proprietary software and systems that require a non-Stryker scope set and video system would require the purchase and replacement of the camera box, computer system, scope, and lights. This would greatly increase the cost of this requirement (which is only requesting scopes and camera heads), as well as add equipment to OR rooms that take up space without any added benefit.

The arthroscopes are more than just a scope to a camera head, they also include a sheath, trocar, and accessories that must connect specifically to the attached camera heads. If we lease this type of item from a different manufacturer this would cause problematic operating room confusion for staff and set up of cases. Standardization of product ensures timeliness and ease of training. If these were to not be compatible with the Stryker Integration, there would be an increased likelihood of opening sterilized sets to attempt to fit the scopes on with needed equipment that may not match. This could result in a lack of scopes to complete scheduled cases for the day.

Potential consequences include inability to accommodate multiple laparoscopic procedures in same day of surgery and can reduce patient access due to longer wait times to schedule procedures. Patient safety may be affected if aging scopes not replaced due to poor surgical visualization and case delays due to need to rapidly process current inventory.

No vendor can fulfill this request for scopes that can adapt to the recently purchased system in Boise's new operating room. Any other vendor would need cameras/light cords (only compatible with existing system). Boise would have to purchase cameras, router boxes, etc. from any other companies and would have to maintain boxes we have with Stryker (laparoscopes) in addition to any other company boxes.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies:** A sources sought notice was sent to all 279 VIP verified SD/VOSB's listed on 8/22/17. 6 were undeliverable; 10 responded they were unable to provide; 1 (Beacon Point) responded they could provide the required items.

A sources sought was posted to FBO on 12/28/17. Stryker Endoscopy responded they could provide, but they also partner with several different companies: American Medical Depot, a small business; Beacon Point Associates, an SDVOSB; Trillamed, an SDVOSB; and Four Points Technology, an SDVOSB. American Medical Depot responded to the sources sought, stating they could provide the requirement.

This J&A will be posted with the solicitation via the GPE.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost and final contract price will be considered fair and reasonable through competitive quotes, or evaluating the quoted cost to Stryker's established FSS schedule.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Boise VAMC surgery department met with two other vendors to review their scope offerings (Olympus America and Karl Storz); neither could guarantee compatibility with Stryker Integration System without additional costs incurred. A VIP search under NAICS 339113 showed 279 potential SD/VOSB sources listed. A sources sought notice was sent to all. Six undeliverable email were returned, nine replied they could not offer the products requested, one company, Beacon Point, stated they could provide the requested items. It was confirmed with Stryker (the manufacturer) Beacon Point is an authorized partner who could supply the leased items to the VA. Also, a FBO posting sources sought was swent under NAICS 339113. Stryker Endoscopy, the manufacturer, replied to the sources sought and provided three SDVOSB partners: Beacon Point Associates; TrillaMed; Four Points Technology, and one Small business partner: AMD. Four Points Technology also responded to the posting, as did Beacon Point Associates and AMD. Karl Storz also

replied to the sources sought as an "equal" item. However, Karl Storz will not be considered as the items requested need to be compatible with existing equipment.

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:** Four Points Technology, Beacon Point Associates, AMD, and Stryker all responded to the FBO sources sought posting.

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:** No actions are planned as this will be awarded to one of the SDVOSB partners/authorized distributors of Stryker Endoscopy. However, the marketplace will also be surveyed prior to any subsequent awards to determine if barriers exist to competition. The station will also review to determine if Stryker products are still required to meet the need, or if equal product will be accepted.

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.

*Adele Smith*

Adele Smith  
Administrative Officer  
Boise VAMC


\_\_\_\_\_  
Date

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.

KAREN R. RHODES 333239

Karen Rhodes  
Contracting Officer  
Network Contracting Office 20

 Digitally signed by KAREN R. RHODES 333239  
Date: 2018.02.08 10:46:09 -08'00'

\_\_\_\_\_  
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.

\_\_\_\_\_  
Ashley Nguyen  
Branch Chief  
Network Contracting Office 20

04/20/2018

\_\_\_\_\_  
Date