

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Brand Name Only

Acquisition Plan Action ID: VA69D-17-AP-10183

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, Jesse Brown VA Medical Center, Great Lakes Acquisition Center (GLAC), NCO 12. 2237# 537-18-1-969-0007
2. **Nature and/or Description of the Action Being Processed:** Brand Name Only, New Firm Fixed Priced Contract for Sonosite Equipment.
FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for Brand Name Only Equipment 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.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Sonosite M-Turbo Ultrasound Unit, 2 ea of SonoSite M-Turbo, 2 ea of M-Turbo Color Option Pacific Pine, 2 ea of Color Application Software Package M-Turbo, 2 ea of SonoMBe M-Turbo, 2 ea of L25X / 13-6 MHZ Transducer Transverse Biopsy Compatible, 2 ea of P21X / 5-1 MHZ Transducer Biopsy Compatible, 2 ea of H-Universal Stand (M-Turbo Only), 2 ea of UPX898 Sony B and W Digital and Analog Printer, 2 ea of Triple Transducer Connect (TTC) w' quick disconnect, 4 ea of Service Manual M-Turbo, 2 ea of User Guide M-Turbo, 2 ea of 5 year warranty standard coverage. Requesting Delivery as soon as possible, Estimated cost of \$74,500.00
4. **Statutory Authority Permitting Other than Full and Open Competition:** The authority for Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The Sonosite M-Turbo is the only Brand capable of providing interoperability with the existing equipment used for transthoracic needle aspiration/biopsy, without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition. If another system is sought after, additional equipment will need to be purchased for the use of transthoracic needle aspiration/biopsy.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This purchase will be posted on FBO as a 100% set-aside for SDVOSB concerns who are also certified on www.VETBIZ.gov.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The basis for this award is the lowest price technically acceptable set aside to an

SDVOSB concern whom provides fair and reasonable price to the Government. Published pricing lists and the IGCE will be utilized to ensure pricing is fair and reasonable.

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

Market Research Was Not Conducted: A search of VETBIZ provided 2 SDVOSB's that distribute the Brand Name, Sonosite based on their capabilities statement. A search of GSA/FSS yielded no results for Sonosite and Google search confirmed SonoSite is the manufacturer of the M-Turbo.

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: None.

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: None.

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.

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.

Teresa Beers-Wesolowski
Contracting Officer
GLAC

Date