

**DEPARTMENT OF VETERANS AFFAIRS**

**Brand Name Justification and Approval (J&A)  
For  
(>\$150K)**

**Acquisition Plan Action ID: VA256-18-AP-7158**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 16, Southeast Louisiana Veterans Health Care Medical Center, New Orleans, La.
2. **Nature and/or Description of the Action Being Processed:**  
The objective is release of a competitive solicitation for Brand-Name-Only Noldus Behavioral equipment and Accessories will be awarded as a firm-fixed-price contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**  
*12 each Rat Place Preference & Multifunction Systems*  
*8 each Mouse Place Preference & Multifunction System*  
*2 each Mechanical conflict avoidance*  
*1 each Behavioral monitoring system, Noldus multi maze*
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - ( ) (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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

**Brand Name Justification.**

Application for Brand Name: The Noldus Brand name equipment is in use at SLVHCS. A high-end, VA-purchased is used off-site located at a VA laboratory and has been available to other VA researchers. To maintain continuity of research applications/experiments and data acquisition/analysis, it is essential to purchase Noldus brand equipment utilizing the same grade platforms previously used. This will ensure researchers' continuity. Any other solution would result in non-compatibility.

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request Brand Name Justification Format >\$150K

Noldus has become very successful in high performance behavioral science and video tracking software. Additionally, the company has grown and has partnered with Maze Engineers to advance in neuroscience. One of Noldus products EthoVision XT, has revolutionized the industry for highly automated behavioral science experiments.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Veterans Information Pages currently indicates 129 companies using key word search “animal behavior research”. However, after posting Sources Sought (set aside SDVOSB) May 17, 2018 only 1 response was received—SDVOSB—McConnell Group.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:**
  1. The CO has determined that the anticipated cost to be fair and reasonable, i.e. if a behavior is adaptive, the benefits of a behavior must exceed the costs of the behavior. The benefits are measured in terms of increased energy intake, survival, and reproduction. Animal research has had a vital role in many scientific and medical advances of the past century and continues to aid our understanding of various diseases. Throughout the world, people enjoy a better quality of life because of these advances, and the subsequent development of new medicines and treatments—all made possible by animal research.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Sources Sought was conducted May 17, 2018. Received one response—SDVOSB and authorized distributor of Noldus—McConnell Group.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
  10. The Noldus brand was designed with a modular aspect to allow additional equipment to be added in the future to allow for increased equipment capabilities as new technology becomes available and new research techniques are developed. This modular design is a cost-effective option that will save against the need to purchase new systems for the same research needs. In addition, FPDS shows acquisition history purchase via Noldus August 15, 2017 @ \$20,144.00—NCO 01(00241).
11. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

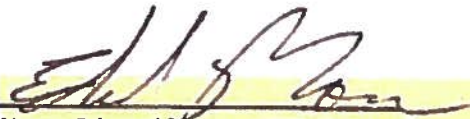
McConnell Group has expressed interests and has a provided capabilities statement and their authorized distributor’s letter.
12. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:**

As part of their mission, the research scientists routinely monitor the marketplace for the introduction of new technology that would be beneficial allowing for better data acquisition and

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increased research capabilities. Any subsequent procurements will take into account this up-to-date knowledge of current technology on the market. If newer, more appropriate, products become available, a competitive solicitation will be conducted.

13. **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 Edward Moran, COR- Research  
Title Safety Coordinator,  
Facility SLVHCS 629, Project Legacy

6/18/18  
Date 6/8/2018

14. **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.

Travis Sippel  
458945

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Sippel 458945  
Date: 2018.06.18 13:46:33  
-05'00'

Travis A. Sippel  
Contracting Officer  
NCO 16

June 18, 2018  
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.

ANDREW J RAIBER  
292563

Digitally signed by ANDREW J  
RAIBER 292563

Date: 2018.06.20 11:56:44 -05'00'

Aaron Villalpondo  
NCO 16, Director of Contracting

                      
Date