

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (<\$250K)
Brand Name Only Justification

Acquisition Plan Action ID: VA261-18-AP-6566

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, Palo Alto Medical Center: Network Contracting Officer (NCO 21), 4951 Arroyo Rd, Bldg. 88, Rm 217, Livermore, CA 94550.
2237: 640-18-3-534-0121
2. **Nature and/or Description of the Action Being Processed:** This procurement is for GSI Audiometers, Maico Impedance Screeners, and GSI middle ear 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. The above audiology equipment is for the new San Jose Community Based Outpatient Clinic (CBOC). The anticipated contract will be a firm-fixed-price contract, and funded by Activations Major Projects Section, Office of Facility Planning and Development.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The GSI Audiostar Pro Audiometer, the Impedance screener, and middle ear analyzer is medical equipment used by Audiology to support patients during medical examinations. This equipment is needed to support Ambulatory Care at the new San Jose Outpatient Clinic. Below is a list of the items.

ITEM INFORMATION

ITEM NUMBER	DESCRIPTION OF SUPPLIES/SERVICES		
0001	GSI Audiostar Pro, Two Channel Audiometer	2.00	EA
0002	Maico MI24 All-Touch Impedance Screener (Tympanometer) w/ built-in printer	2.00	EA
0003	GSI High Performance Speaker Kit w/ Booster Amplifier & cables	2.00	EA
0004	Installation/Calibration/Training	1.00	EA

	(GSI Audiostar Pro, MI24 Impedance Screener)		
0005	GSI Tymstar Pro Middle Ear Analyzer	2.00	EA
0006	Installation/Cabling/Training (GSI Tymstar Pro)	1.00	EA

Total estimated contract price is \$ [REDACTED]

4. **Statutory Authority Permitting Other than Full and Open Competition:** FAR13.5 Simplified Procedures for Certain Commercial Items: The authority for applying the 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 authority cited in paragraph 4 is essential to the Government's requirement, thereby precluding consideration of a product manufactured by another company. Accordingly, the audiology products are the only products capable of providing the supplies as described in Section 3 above.

The Audiostar Pro is the only audiometer with Automatic Hearing and Speech Testing program. This allows the Audiologist an opportunity to have the Audiometer test the patient for Hearing and Speech perception. Additionally, the Audiostar Pro provides opportunities for remote Audiological Tests or for Clinics to test multiple patients with one Audiologist.

Only the Audiostar Pro audiometer allows each Audiologist the flexibility of their own custom test configuration by using the GSI Configuration Application. They log into the audiometer and their custom configuration and Favorite Speech Wave files are selected. Speech files can also be set up to "auto-score" based on the audiologist's preferences. New word lists can be added or deleted. The sentence or word is available for viewing in the Audiostar Pro's color display so scoring can be verified.

The Maico MI24 Impedance Screener contains a touch screen for operation which speeds up the selection of test sequences. This unit offers Touch Screen Simplicity and Diagnostic Ipsi, Contra Reflex Tests. The Maico MI24 is the only unit with touch screen and integrated printer.

GSI Tymstar Pro Middle Ear Analyzer is the only Middle Ear Analyzer with 12" Touch Screen, manual pump control allowing the clinician to start at zero and change pressure as needed. It is the only unit with Wrist and Shoulder mount probe 15, 30, 45, and 60 second reflex decay for testing Cochlear implants.

The Grason-Stadler (GSI) Audiostar Pro™ is a two-channel audiometer that can be use independently and all test information is compatible and can be transferred to the Audioscan® Noah.

GSI Audiostar Pro™ Special test enhancements include expanded scoring options for the QuickSIN, addition of the BKB-SIN, and insert earphone support for the TEN test. Configuration updates have been implemented to provide efficiency to comprehensive testing. It is now possible to configure CH2 to change routing according to CH1 changes. Word lists are defined as favorites and assigned a test type for seamless one-button transition between speech testing. In addition to the AudioStar Pro enhancements, GSI has also significantly updated its electronic audiometric data management solution, GSI Suite™. The company says this update complements and reflects the new features available in the AudioStar Pro and adds additional transfer functionality for the GSI TympStar™. This new version of GSI Suite has a powerful custom report designer to satisfy the unique reporting needs of every facility.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A solicitation will be posted to Federal Business Opportunities (FBO) as a Small Business (SB) set-aside.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
There is one known Service Disabled Veteran-Owned Small Business (SDVOSB) and one known Small Business (SB) authorized to provide the required equipment. This action will be competed on FBO as a SB set-aside. Pricing will be determined upon competition.
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 by the Contracting Officer and the technical experts that will be utilizing the audio equipment to determine if any other manufacturers could provide a similar product.

A sources sought notice was posted to FBO and GSA ebuy. The intent of the notice is to provide vendors an opportunity to provide capability statements for either the brand name product or equal to product that may meet the salient characteristics of the brand name devices.

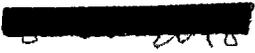
Based upon responses to the above postings, vendors expressed interest in providing the brand name product with no vendor providing information on “equal to” products.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** This justification is limiting the brand name only.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** To date, no other vendors have expressed interest in this requirement by providing products/information that are “equal to”.
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:**
All acquisitions for this equipment and/or services will continue to be advertised by placing a Notice of Intent to Limit the Brand Name with synopsis of requirement on FBO. Until another manufacturer

develops technology to fulfill the requirements, a limited sources contract for this equipment will be required. Market research can be conducted for subsequent procurements to determine if there are any changes in comparable technology by potential manufacturers.

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.



Mae Gee
Medical Equipment Planner
VA Palo Alto Health Care System (VAPAHCS)



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.



Nick Kluch
Contracting Officer
Network Contracting Office (NCO 21)



Date