

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)**

Acquisition Plan Action ID: _____

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, *Minneapolis* Medical Center
Department of Veterans Affairs, VISN 23, Minneapolis Medical Center
Department of Veterans Affairs
NCO 23, Black Hills Contracting Office
113 Comanche Rd. Bldg 46 Room 101B
Ft. Meade, SD 57741

2237: 618-19-1-4008-0006

2. **Nature and/or Description of the Action Being Processed:** Fixed price sole source purchase order for Base year plus four option years multiyear service maintenance contract on the Vital 3D Imaging equipment for the period of 10/1/2018 through 9/30/2023

Procurement Type: Sole Source

Place of Performance: The selected contractor shall provide the service to MVAHCS, One Veterans Drive, Minneapolis, MN 55417.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Service Requirements:

Below are the serial numbers and locations of the equipment:

Serial #	Location	Description
USE248N4TS	BG111-70	Server VIMS
USE251PPRN	BG111-70	Server Core
USE251PPR8	BG111-70	Image Server 1
USE251PPRF	BG111-70	Image Server 2
USE251PPR3	BG111-70	Image Server 3
USE251PPPY	BG111-70	Image Server 4
USE251PPPJ	BG111-70	Image Server 5
USE251PPPD	BG111-70	Image Server 6

- TAVR license and Vital Services, SW M&S Enterprise, Premier is included.
- Vendor shall provide a designated service account management program and quick response times.
- Vendor shall provide software upgrades & updates, rapid response telephone assistance, access to interactive online portal, webinars and on-line library, on-line technical knowledgebase,

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remote support diagnostics. Support hours shall be Monday through Friday from 8:00 am till 5:00 pm.

- Vendor shall provide hardware support assistance, access to clinical expert for 1:1 application consultation, monthly report and review of issue tracking and resolution with a service account manager. Technical application support hours shall be offered 24 hours a day / 7 days a week.
- Vendor shall provide education credits, annual technical system review, on site assistance for critical issue, customer deployment of virtualized environments. Critical issue is defined as issues that resides in 3D Imaging software, is open for longer than 24 hours, causes the enterprise system to be non-operational, has not been identified as a software defect that can be fixed by a software patch.

4. Statutory Authority Permitting Other than Full and Open Competition:

- (X) (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;

FAR13.5 Simplified Procedures for Certain Commercial Items: N/A

- 5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Vital Images does not have nor do they authorize third party vendors to provide support services on the Vital Images products.

Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: No other sources available.

- 6. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** Price fair and reasonable is based on historical pricing of the same service provided in the last 3 years.

- 7. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** If other responsible sources are found in the future, competitive offers will be solicited.

- 8. Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A

- 9. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Vital Images, Inc, 5850 Opus Parkway, Suite 300, Minnetonka, MN 55343
Mark Suckle, Government Program Manager, 516-448-3124, msuckle@vitalimages.com

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Michael Flynn, mflynn@vitalimages.com
Socioeconomic category: Small Business

10. 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: Market research will be conducted if future procurements are needed to determine if there are other manufacturers' services that are compatible with the existing MVAHCS infrastructure and equipment.

11. 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.

12. 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.

Pamela Phillips
Contracting Officer
BHHCS VISN 23

08/14/2018

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.

Jonathan Allen
Facility Branch Chief
BHHCS VISN 23

Date