

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, 00675 Orlando VA Medical Center 13800 Veterans Way, Orlando, FL

This is a justification for other than full and open competition to perform simulation load test for load bearing beams that hold surgical lights and other equipment in the hospital.

2237: 675-13-1-6637-0023

2. **Nature and/or Description of the Action Being Processed:**

This is a sole source award for urgent and compelling reasons. This will be a firm fixed price purchase for the performance of a simulated load test on structural parts of the building that hold medical equipment. The anticipated cost of this service is \$5,400 and will be performed by Berchtold Inc., 1950 Hanahan Rd, Charleston, SC. 29406 DUNS: 084926450

The structural parts of the building are single and tandem beams that hold medical equipment such as booms for lights and other medical equipment.

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

Perform 3 load tests on single and tandem load bearing beams that hold booms for medical equipment. The anticipated cost of all 3 load tests will be \$5,400 and will need to be performed prior to 31 October 2012.

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;
- (X) (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):**

Currently the Orlando VA Medical Center is in construction of a \$600 million hospital and clinic. While construction is ongoing there are tests that must be performed to ensure that the structure is adequate for medical equipment needs. This load test is urgently needed to ensure the structural support welded in place by the construction contractor is adequate to support Berchtold light and equipment booms. During a walk through inspection of the O.R.s and ICUs it was determined that the structure in place is not typical of Berchtold requirements and a load test must be performed to ensure the structure is adequate and will not require modification before the ceiling is closed in and the boom supports are not accessible for testing. If the test shows the supports are not adequate, additional construction work will be required and it is urgent that this test is performed before the supports are covered up by additional contractor work. The specialized nature of this test and as it specifically relates to Berchtold equipment requires that Berchtold perform the work. Only Berchtold can perform the test and only Berchtold has the experience to interpret the results of this test and provide certification that these supports are sufficient to meet the specialized requirements for the equipment. Another company cannot determine if the supports will be adequate for Berchtold equipment

To not delay construction any further, it is essential to conduct the load bearing test as soon as possible as more delay may cost the government more money and potentially delay other milestones within the construction timetable.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
N/A

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
Not possible do to the nature of this justification.

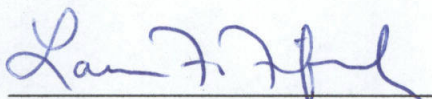
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**
Market research was not conducted to the nature of this justification

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
The supports structure being tested are for Berchtold booms. Only Berchtold has the specialized knowledge to perform the test. Also only Berchtold has the experience to interpret the results of this test and provide certification that these supports are sufficient to meet the specialized requirements for the equipment. Another company cannot determine if the supports will be adequate for Berchtold equipment.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
Berchtold Inc.

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:**
Any future procurements of similar nature will not be utilized in this way, competition will be used to the fullest extent possible.

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.

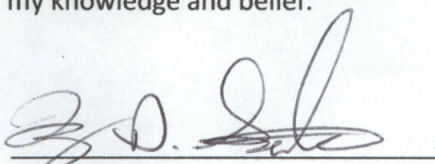


Name: Laura F. Finrock FACHE
Title: Construction Coordinator
Facility: Orlando VAMC

10-17-2012
Date

13. **Approvals in accordance with FAR 6.304**

a. **Contracting Officer's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Name: Kory Stiles
Contracting Specialist

18 OCT 12
Date

Facility: Orlando VAMC

- b. **Product Line Supervisor (PLS)**: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name: Kenneth Williams
Contracting Supervisor
Facility: Orlando VAMC

Date