

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, Bay Pines VA Healthcare System(516), Biomedical Engineering (138M) 516-12-1-5105-
2. **Nature and/or Description of the Action Being Processed:** Provide all repair parts and service for maintenance on the Biomerieux Automatic Plater EE#70519, SN: AS180-00103 Previ Isola located at the VA Medical Center, Bay Pines, Florida room #2B115 Microbiology. The system maintenance includes all portions of the system, including the system control computer. The contract does include the printer.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Annual contract for the above. Software and parts are proprietary to Biomerieux.
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):** Software and parts are proprietary and are not available from any other source.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable.** Searched the government data base and could not locate another source.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** There is no other device similar to this system. We have never had anything like it, and have no past history. The cost of the agreement is similar to other systems in the Lab
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Have not been able to locate any other system to compare the automatic plater.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Same as above.
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:**
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.

*Eileen M Blair*

Eileen M. Blair  
Name

*29 Oct 12*

Date

Title *SBESS*

Facility *Boy Pines VA Healthcare System (516)*

13. **Approvals in accordance with FAR 6.304** *This part is filled out by Contracting Staff as part of the justification*

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

*Cheryl L Drak*

Name

*11/14/12*

Date

Title

Facility

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

*Cheryl L Drak*

Cheryl Drak

*11/14/12*

Date

Site Team BP Supervisor  
Services and Commodities  
Bay Pines VA Health Care System

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Name  
Director  
Service Area Office, East

\_\_\_\_\_  
Date

- d. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$10million) or approve (\$500K to 10 million) for other than full and open competition.

\_\_\_\_\_  
Name  
Chief Procurement and Logistics Officer  
VHA Head of Contracting Activity (HCA)

\_\_\_\_\_  
Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 million but not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

\_\_\_\_\_  
Iris B. Cooper  
Deputy Senior Procurement Executive (DSPE)  
Office of Acquisition and Logistics  
Department of Veterans Affairs

\_\_\_\_\_  
Date

- f. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.