

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NC0)20, 8115 NE 82<sup>nd</sup> Ave, Vancouver, WA for the Seattle Medical Center.

2. **Nature of the Action Being Processed:**

The Department of Veteran Affairs proposes to enter into a firm fix price contract on the basis of other than full and open competition for the Neurological Department's request for an Armeo Power Robotic Exoskeleton. Purchase Request Number 663-12-4-9961-0183.

This device includes assessment tools to track progress over time for arm function. It does not require hand function to be interactive or have the patient use. You can work on arm function, and this device could be used with our C5 tetraplegia patients. This is a single unit that has the price of \$189,700 for the unit. The delivery date would be confirmed once the order is placed

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

The ArmeoPower is the first robotic exoskeleton device for intensive upper extremity treatment using augmented feedback strategies. This device is used for neurological patients whose primary aid is to improve the function of the affected arm. It allows muscular retraining for certain parts of the arm. It allows for focused work on one arm. It enables shoulder protection, and you can train the arm proximally and distally you are able to build shoulder musculature in a very controlled way for patients with shoulder muscle imbalance. This device can be adjusted to the abilities of the patient. The patient can be taught to use this device independently becoming an adjunct to therapy. It sustains the Veterans interest in interacting with the video game, augmented feedback and repetition.

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

*Statutory Authority: 41 U.S.C. 253(c), or 38 U.S.C. 8153 as implemented by FAR 6.302.*

- ( 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;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Hocoma is the only company in the U.S. selling the ArmeoPower. The Armeo®Power is a rehabilitative exercise device for upper extremity therapy. The main component of the ArmeoPower is a motorized arm orthosis, which is able to support the weight of a patient's arm and to assist the patient during specific exercises in a large 3D workspace. The ArmeoPower is intended for patients <res://ieframe.dll/tabswelcome.htm> who have lost the function or have restricted function in their upper extremities caused by central nervous or peripheral neurogenic, spinal, muscular or bone-related disorders. The ArmeoPower supports specific exercises for increasing the strength of muscles assists clinicians in evaluating these functions Motorized arm orthosis with 6 actuated degrees of freedom covering an extensive 3D workspace. Assist-as-needed arm support that adapts to the patient's capabilities Augmented Feedback with motivating exercises to train activities of daily living, Assessment Tools for objective analysis and documentation. This is currently the only product of its kind.

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

It was confirmed through a sources sought, that this is indeed the sole source for this product. The sources sought were put out on Fedbizopps under VA260-12-R-1680 on 09/17/2012 till 09/21/2012 and no one replied. A request was put out to try to find any company that could provide what we were looking for.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

The Contract Specialist determines that the anticipated price will be fair and reasonable based on comparison with similar items in a related industry.

The closest Robotic Exoskeletons to Armeo Power Robotic Exoskeleton are as listed below:

1. **Raytheon Sarcos Exoskeleton:** Designed primarily with military purposes in mind, it's unique because it's one of the few full-body exoskeleton robots available. Most robot exoskeletons are broken up into either legs or arms.
2. **Human Assistive Limb Exoskeleton (HAL):** The Human Assistive Limb Exoskeleton, or HAL, is a "cyborg type" robot designed to help people with mobility problems, in rehabilitation, and for heavy lifting.
3. **Human Universal Load Carrier (HULC):** Developed by Berkley Bionics in Berkley, Calif., the HULC is a wearable robot exoskeleton for the legs.
4. **Honda Experimental Walking Assist Device :** The Honda Experimental Walking Assist Device is a robot exoskeleton for the legs, designed to reduce the strain of walking for the elderly and those with mobility problems.

5. **MIT Exoskeleton:** The purpose of the exoskeleton is to help people with heavy loads to carry on their backs (hikers, soldiers, students with too many physics textbooks) lighten the load.

By signing the justification the Contracting Specialist makes a determination that the costs/prices to the government are expected to be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

As described in section 6, a sources sought was posted but there were no responses. There is no other product on the market in the U.S. that provides a robotic exoskeleton for intensive upper extremity treatment using augmented feedback strategies. Market research was conducted when first looking for a product to provide exercise options to neurologically involved Veterans, in this case spinal cord injured. No other options were found that could accommodate this population at the C5 Tetraplegic level.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

None. See sections 5 and 8 for additional information.

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

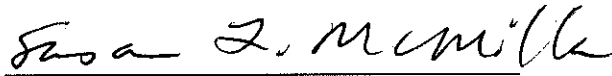
The only source able to meet hospitals needs.

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:**

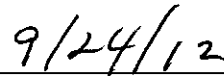
Since this is a one-of-a kind product, no competition could be accomplished this time; however when more products become available on the market, it will be competed. There are no suggested plans to review competition at this time for this product as they are the sole source in the U.S. at this time.

**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.

*(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)*



Susan L. McMillan  
Program Manager  
Seattle VAMC



Date

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

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

9/25/2012

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Stacia Nunn  
NCO 20 Supply Team B - Team Manager

\_\_\_\_\_  
Date

b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.

9/25/2012

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Nicholas M. Jenkins  
Acting NCO 20 Network Contracts Manager  
Service Area Office - West

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Date