

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 12, 115 South 84th St., Suite 101, Milwaukee, WI 53214-1476.

Justification for other than full and open competition; Purchase Request No. [REDACTED]

2. **Nature and/or Description of the Action Being Processed:** Justification and approval for other than full and open competition for the purchase of two ultrasonic cleaners and supplies for the Clement J. Zablocki VA Medical Center in Milwaukee, WI. Procurement will proceed on a sole source basis with Ultra Clean Systems, Inc.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Clement J. Zablocki VA Medical Center has a requirement for two ultrasonic cleaners to sterilize and process robotic surgery instruments. The following equipment and supplies are required:

Item No.	Description	Qty
029-0072	Model XL72-TRT Floor Model Cleaning System - Double Basin	2
60-0800	Verification Software	2
10-0311	Robotic Surgical Basket	6
10-0516	Standard Basket w/ Accessory Kit	6

Estimated cost: [REDACTED]

Date required by: January 2013

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;

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 Clement J. Zablocki VA Medical Center requires the an ultrasonic cleaner with all of the following functions to support the new robotic surgery program in order to process the volume of surgical instruments needed to support operations:
- Load capacity > 75 lbs.
 - Load capacity of at least 48 da Vinci robotic instruments
 - Cycle time ≤ 13 minutes from fill to air purge
 - Left and right basins which work independently
 - Transducers which provide uniform ultrasonic energy coverage without the need of degassing
 - Verification of cycle times, water, temperature, irrigation enzymes, and present operator ID
 - Ability to export cycle data via USB to create and maintain detailed/accurate records
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Ultra Clean Systems, Inc. is the sole source for the required ultrasonic cleaner.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The vendor has provided a [REDACTED] discount (16%) off the regular open market price of the ultrasonic cleaner. Further, the quoted pricing is competitive when compared to similar, but less suitable ultrasonic cleaners.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The end-users conducted market research utilizing the GSA website and internet sources to identify equipment capable of meeting the needs of the medical center. The end-users' technical expertise and market research indicates there is only one vendor capable of providing the required ultrasonic cleaner needed to meet the needs of the medical center.
- The Contracting Officer also issued a Sources Sought Notice (RFQ743663) in an attempt to identify additional vendors which could meet the requirements of this procurement on mandatory schedule. No additional capable vendors were identified as a result of this Sources Sought Notice.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: Midbrook, 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: None.