

The VAHCS Bay Pines has awarded an EMERGENCY-Urgent and Compelling purchase to New River Systems Corp. This acquisition is for: Lumenis, Inc GA-0025010 Vision One Laser System. The North American Industry Classification System code (NAICS) is 423450 and the size standard is 100. This NOTICE OF CONTRACTING ACTION (NCOA) is for the notification purpose only and does not constitute a request for competitive proposals. Justification and Approval for urgent acquisitions is attached. Contract point of contact is Mark Cline 727-399-3342 e-mail: mark.cline@va.gov

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 8, Bay Pines Medical Center, St. Petersburg, FL
2. **Nature and/or Description of the Action Being Processed:** Brand Name Justification to procure a highly sophisticated medical Lumenis Vision One laser system. The laser system is a modular Diode Pumped solid state laser system. This action would include installation and a free clinical in-service. This is an emergent request to replace an existing Ophthalmology Laser system in the Eye clinic. The current system has been deemed beyond economical repair by the Biomedical engineering department. We currently are feeing out patients due to the lack of an Ophthalmology laser.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The facility urgently needs to procure a replacement Lumenis vision one laser system. Access to care is currently being affected due to our current laser deemed beyond economical repair.

Bay Pines VAHCS Salient Characteristics for a Ophthalmology Laser System

- Laser System-Optically pumped semiconductor laser (OPSL)
- Wavelength – 532nm Green, 577nm Yellow, 659nm Red
- Pulse Duration – 0.01 to 3.0 seconds
- Pulse Rate – 0.05 to 1.0 seconds and single pulse
- Energy Settings – Green 50mW to 2000mW, Yellow 50mW to 1500mW, Red 50mW to 800mW
- Spot size – 50-1000 microns w laserlink Z or Insight or 50-500 microns w the H/S laserlink
- Aiming Beam – Contrasting color, adjustable intensity 635nm nominal, <1.0mW
- Cooling System – Air-cooled, enhanced w thermoelectric cooling
- Power Req – 100-230VAC +/- 10% 50/60Hz, <10Amps, single phase
- Dimensions – 105cm x 45cm x 63cm; 42in x 18in x 25in (HxWxD)
- Weight -57kg or 126lbs
- Delivery Systems – InSight, laserlink Z-1000 slit lamp adapter
- Standard Accessories – remote control foot switch
- Onsite clinical training
- 2 year warranty
- Local Field Service

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):** This Lumenis laser system is compatible with the equipment

currently in use in the eye clinic. This laser system has already been approved by the Reusable Medical Equipment Committee and meets all current RME policies and protocols.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** We currently have multiple Lumenis laser systems in this facility; our SPD and RME policy are already current for this equipment. This is highly sophisticated equipment and requires extreme care and training (cleaning) which has already been implemented. I have revived a quote for a SDVOB.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Anticipated cost to the government is \$91485.43.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** We currently have Lumenis laser systems in this facility. This is a replacement for an existing laser systems that has been deemed beyond economical repair by the biomedical engineering department. Market research was done by the two full-time Ophthalmologists as well as with our contracted USF retina providers during the last quarter of FY12 and first quarter of FY13. Our current Lumenis laser systems have been highly reliable devices with good service from their field service.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** This is an Emergent request. Market research was conducted and I request that we procure from New River Systems which is a Small Disabled Veteran Owned Business.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** State "See Section VI above."
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:** No other actions are planned at this time. Any future purchases would be handled per VA policies.
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)

Michelle Montgomery
Program Analyst, Surgical Service
Bay Pines VAHCS

01/03/2013

Name
Title
Facility

Date

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 Leah
Name
Contracting Officer
Facility

1/8/13
Date

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

Cheryl Leah
Name
Contracting Supervisor
Facility

1/8/13
Date

- c. **DNCM/NCM:** (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

Mitchell Thomas
Network Contract Manager
VISN 8

Date

- d. **SAO:** I certify the justification meets requirements for other than full and open competition.

Jeff Ryan
Director
Service Area Office, East

Date

- e. **VHA HCA Review and Approval:** (over \$500,000) 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 (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

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

Date