DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Wilkes-Barre Veterans Affairs Medical Center (WBVAMC) Justification for Other Than Full and Open Competition, Snyder and Northumberland Counties Outreach Clinic, Purchase Request or 2237 Number 693-13-1-112-0001.

2. **Nature and/or Description of the Action Being Processed:** Justification for Other Than Full and Open Competition for the use of an EKG machine brand name specification in the solicitation for an outreach clinic to serve veterans in Snyder and Northumberland Counties. The brand name specification will be awarded as part of a new contract, specifically a capitated rate contract. The total dollar amount is estimated to be $2,256,000.00 for the entire contract.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Agency requires MUSE-compatible EKG machines, which can interface with VistA Imaging. MUSE refers to the GE Cardiology Information System utilized by the WBVAMC. The name and model number of the EKG machine needed is the GE 5000 with modem or the GE 5500 with modem. The Agency requires the contractor to use the EKG machines specified above to ensure compatibility with the system currently being used by the WBVAMC. All hospitals in the VISN are using GE compatible and MUSE compatible systems, and have been doing so for many years. This practice and the continuing performance metrics for VISN 4 indicate the unique qualifications of these systems and the MUSE information system for the purposes of the ORC solicitation.

4. **Statutory Authority Permitting Other than Full and Open Competition:**
   41 USC §253(c)(1), as implemented by FAR 6.302-1.

   (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):** GE Healthcare located at 101 Carnegie Ctr Ste 100, Princeton, NJ 08540-6231 is the original equipment manufacturer (OEM) of the EKG system being installed throughout the VISN. MUSE compatible systems are the only responsible source. Considering the history using MUSE and general problems with breaking practice with the entire VISN and all associated outpatient clinics, to implement a new IT system or use different compatibility is neither practical nor efficient. This required compatibility is not due to a lack of advance planning nor concerns regarding fund availability, but rather serves the interests of the patients and no other type of health information system would allow Medical Center Clinical staff to communicate with the outreach clinic as required.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Not applicable as the brand name requirement will be solicited as part of a larger contract for primary care services.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Not applicable as the Government will not be purchasing this item separately but rather as part of a larger contract. The contract will be awarded for a firm-fixed price and price reasonableness will be determined based on competition. Based on responses to the Sources Sought Notice, there is a reasonable expectation of receiving offers from two or more responsible concerns.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** See #5 above.

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:** 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**: None.

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.

Jason Cave 498952 — Digitally signed by Jason Cave 498952 DN: dc=gov, dc=va, o=internal, ou=people, 0.9.2342.19200300.100.1.1=jason.cave2@va.gov, cn=Jason Cave 498952 Date: 2013.05.02 08:08:35 -04'00'

Jason Cave
Facility Planner
Wilkes-Barre VAMC

5-2-13
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.

Rachel A Turk — Digitally signed by: Rachel A Turk 212070 DN: CN = Rachel A Turk 212070 O = internal OU = people Date: 2013.05.02 09:29:17 -05'00'

Rachel A. Turk
Contracting Officer
Lebanon VAMC

05-02-2013
Date

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

Daniel Zelasko
Deputy Network Contract Manager
VISN 4

5/2/13
Date