

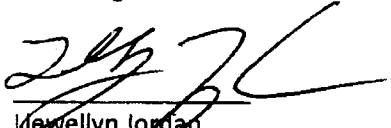
DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 8, James A. Haley Veterans' Hospital, 673-13-2-084-0109
2. **Nature and/or Description of the Action Being Processed:** This is a one-time request for Other Than Full and Open Competition for the procurement of OrthoView software and licenses (673-13-2-084-0109). OrthoView allows the Orthopedic Surgeon the ability to precisely measure the patient for joint (e.g. hip, knee etc) replacement. Current practice is to have various sizes of joints available in the Operating Room when the bone is cut. Then the best fit of the joints available is used in the patient. OrthoView removes the guess work and allows precise cuts/joint replacement resulting in better patient care and long term viability of the joint.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Services to be provided includes OrthoView Software, licenses and installation. The type of contract is for a firm-fixed price of \$52,200 for licenses, software and installation. This action will be awarded as a new contract. The Tampa VAMC has multiple surgeons on staff specializing in joint replacement. They are not able to complete joint replacements at this facility until the software is in place to plan and template for the prosthesis. We currently have 86 cases on hold awaiting this software for preoperative planning. This is substandard patient care and unjust to our surgeons and most importantly our veterans.
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):** "OrthoView is the industry standard. It is critical that all facilities across the VISN are standardized with OrthoView." This is a VISN wide solution and to conform to this VISN mandated acquisition our site must have OrthoView.
 - 1.) No other application is fully established, tested, proven with an enterprise deployment of Philips iSite PACS across seven (7) VA Facilities with over 800,000 annual radiology exams. Application integration with iSite PACS must result in a single mouse click from patient x-ray to orthopedic viewer.

- 2.) No other application has a Digital Template library with over 150,000 individual template images to choose from and over 1,500 complete template sets. All must have been extensively tested and clinically validated and are ready for clinical use.
- 3.) No other vendor application can scale with any shape and any kind of marker with one-click scaling feature supporting any shape of marker, not just spherical markers.
- 4.) No other application has multiple patient procedures template creations within the same patient file, thus leaving the PACS uncluttered with endless same patient procedure additions.
- 5.) No other application provides over 60 procedure-specific measuring tools (wizards) to aid template positioning and size selection, which make planning quick & easy.
- 6.) No other application has a screen help button which opens the section of the help menu relevant to the stage you're and the procedure you're planning and provides step-by-step instructions.
- 7.) No other application can securely route images within the office and via the Intranet so all VISN 8 facilities can share templated studies, findings and results.
- 8.) No other application has advanced hip features which allows planning a THA in less than 60 seconds, assess pre-operative leg length difference and provides a visual of the predicted post-operative leg length difference.
- 9.) No other application has advanced templates which recognize only the orthopaedic manufacturers' permitted part combinations.
- 10.) No other application can provide robust clinical tools to include at a minimum: Joint Replacement, Trauma, Scoliosis Assessment, and Limb Deformity Correction & Pediatric Assessment for Developmental Dysplasia of the Hip all in one software solution.
- 11.) No other application has Save or Commit for templated Images allowing the ability to choose 'Save' for future editing of the plan or 'Commit' to lock the study down so that no further changes can be made.
- 12.) No other application can provide (Total Knee Assessment) and HTO (High Tibial Osteotomy auto Wizards, automating HTO and TKA template planning.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This is a centralized solution for the VISN, OrthoView is the only vendor that can meet compatibility needs for this centralized solution.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Past efforts to locate third-party vendors who can perform repairs, have the proprietary software, and obtain parts on this highly specialized medical equipment have turned up no additional sources other than the OEM. This agency is committed to the competitive spirit of all procurement regulations. It is our policy to seek full and open competition to the largest extent possible while fulfilling the necessary requirements.

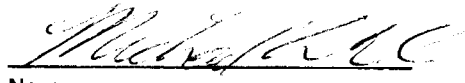
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** A statement of work has been developed for this procurement (time and materials repair), but the critical need for these repair services is time-sensitive and delays can have an adverse impact on patient care.
10. **Listing 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:** Many medical equipment manufacturers, including Philips Medical Systems, have proprietary service documentation, diagnostic tools, software, and equipment, as well as parts. Third party companies do not have access to these necessary resources and therefore often cannot complete maintenance work on high-tech medical equipment. As equipment ages or becomes more common, manufacturers become less guarded about sharing these resources with competitors. As this state-of-the-art equipment ages, it is likely that there will be some other vendors who may be able to perform maintenance work. For this particular required service, the vendor selected must have access to proprietary software and software keys.
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.


Jewellyn Jordan
PACS Administrator
James A. Haley VA Hospital

27 Jun 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.


Name
Contracting Officer
Facility

27 Jun 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.
- _____
- _____

Name
Contracting Supervisor
Facility

Date